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**Palm Beach County  
Board of County  
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Karen T. Marcus, Chair  
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**County Administrator**

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**MEMORANDUM**

**TO:** Wes Blackman, Chairman, and  
Members of the Land Development Regulation Advisory  
Board (LDRAB)

**FROM:** William Cross, Senior Planner *WC*  
Planning, Zoning and Building (PZB) Department

**DATE:** August 5, 2004

**RE:** **Thursday, August 12, 2004 LDRAB Agenda and  
Attachments**

Please find attached the agenda and supporting materials to assist you in preparing for the LDRAB meeting on Thursday, August 12, 2004. The meeting will be held in the PZB 4<sup>th</sup> Floor Conference Room, 100 Australian Avenue, West Palm Beach, Florida.

Please bring your copies of the Unified Land Development Code (ULDC) to facilitate the review of the proposed amendments.

If you should have any questions and/or require additional information, please contact me at (561) 233-5206, or Jane Bilka, Code Revision Secretary at (561) 233-5302.

**Attachments:**

1. August 12, 2004 LDRAB Agenda
2. Attachment A – July 20, 2004 LDRAB Minutes
3. Attachments B through H – (Proposed Amendments to Articles 2, 7, 12, 14, 15, 16 and 18)
4. Attachment I – Previous Surface Area Follow-Up

**cc:** Barbara Alterman, Esq., Executive Director, PZB  
Lenny Berger, Assistant County Attorney  
Jon MacGillis, Interim Zoning Director  
Robert Buscemi, R.A., Principal Planner

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# **AGENDA**

## **PALM BEACH COUNTY LAND DEVELOPMENT REGULATION ADVISORY BOARD LAND DEVELOPMENT REGULATION COMMISSION August 12, 2004**

### **BOARD MEMBERS**

**Wes Blackman, AICP Chair**

**D. J. Snapp, III, Vice Chair**

**Barbara Katz**

**Barbara Suflas Noble**

**Rosa Durando**

**Wayne Larry Fish, P.S.M.**

**Maurice Jacobson**

**Charles Adams**

**Brian Waxman, Esq., Alternate**

**Frank Palen, Esq., Alternate**

**Joanne Davis**

**Ron Last, P.E.**

**John Glidden, R.A.**

**Stephen Dechert**

**Martin Klein, Esq.**

**Leonard Tylka, P.E.**

**Carmela Starace**

**David Carpenter, RLA**

**Karen T. Marcus  
Chair, District 1**

**Tony Masilotti  
Vice Chair, District 6**

**Jeff Koons  
Commissioner, District 2**

**Warren H. Newell  
Commissioner, District 3**

**Mary McCarty  
Commissioner, District 4**

**Burt Aaronson  
Commissioner, District 5**

**Addie L. Greene  
Commissioner, District 7**

**Robert Weisman  
County Administrator**





**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

**Thursday, August 12, 2004 AGENDA  
100 Australian Avenue  
4<sup>th</sup> Floor Conference Room, 2:00 p.m.**

- A. Call to Order/Convene as the Land Development Advisory Regulation Advisory Board (LDRAB)
  - 1. Roll Call
  - 2. Additions, Substitutions, and Deletions
  - 3. Motion to Adopt Agenda
  - 4. Adoption of July 20, 2004 Minutes (Attachment A)
- B. ULDC Amendments
  - Article 2 – Development Review Procedures (Attachment B)
  - Article 7 – Landscaping (Attachment C)
  - Article 12 – Traffic Performance Standards (Attachment D)
  - Article 14 - Environmental Standards (Attachment E)
  - Article 15 – Health Regulations (Attachment F)
  - Article 16 – Airport Regulations (Attachment G)
  - Article 18 – Definitions (Attachment H)
- C. Convene as the Land Development Regulation Commission (LDRC)
  - 1. Proof of Publication
  - 2. Consistency Determinations
- D. Reconvene as the Land Development Regulation Advisory Board (LDRAB)
- E. Previous Surface Area Follow Up from July 6, 2004 LDRAB Meeting (Attachment I)
- F. Public Comments
- G. Staff Comments
- H. Adjourn

**PALM BEACH COUNTY**

**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)  
LAND DEVELOPMENT REGULATION COMMISSION (LDRC)**

**Minutes Of July 20, 2004 Special Meeting**

On July 20, 2004 at 3:05 p.m. the Palm Beach County Land Development Regulation Advisory Board (LDRAB) convened in the Fourth Floor Conference Room, at 100 Australian Avenue, West Palm Beach, Florida, for their special meeting:

**A) Call to Order/Convene as the Land Development Advisory Regulation Advisory Board.**

**1) Roll Call**

Chairman Wes Blackman called the meeting to order at 3:05 p.m. Recording Secretary Jane Bilka called the roll.

**Members Present**

Wes Blackman  
Barbara Katz  
Stephen Dechert  
Larry Fish  
Martin Klein  
Ron Last  
Rosa Durando  
Joanne Davis  
Maurice Jacobson  
John Glidden  
Frank Palen (alternate) \*

**Members Absent**

Leonard Tylka  
Barbara Noble  
David Carpenter  
D.J. Snapp  
Brian Waxman\* (alternate)  
Charles Adams\*\*  
Carmela Starace\*\*

Members Present - 11

Members Absent - 7

\* Includes 2 alternates

\*\* Member attended portion of meeting; however, participated for less than three-fourths of the meeting (See Art. 17.B.2.A.3, Attendance)

**COUNTY STAFF PRESENT:**

Barbara Alterman, Executive Director, Zoning  
Jon MacGillis, Interim Zoning Director  
Robert T. Buscemi, R.A, Principal Planner, Zoning  
William Cross, Senior Planner, Zoning  
Izabela Aurelson, Planner I, Zoning  
Jane Bilka, Code Revision Secretary  
Donna Westacott, Zoning Technician, Zoning  
Jamie Marcus – Intern, Zoning  
Maryann Kwok, Principal Planner, Zoning  
Lenny Berger, Assistant County Attorney  
Isaac Hoyos, Principal Planner, Planning

**2) Additions, substitutions and deletions**

**3) Motion to adopt agenda**

A motion was made by Martin Klein and seconded by Carmela Starace to adopt the agenda. The motion passed unanimously (13-0).

**4) Adoption of July 6, 2004 LDRAB Minutes**

Motion to adopt as amended, by Maurice Jacobson, seconded by Stephen Dechert. The motion passed unanimously (13-0).

**B.1) ULDC Amendments**

**1) Article 3 – Overlays & Zoning Districts (Attachment B)**

Motion to approve as amended by Martin Klein, seconded by Maurice Jacobson. The motion passed (8-2). Joanne Davis and Rosa Durando voted nay. Wayne Larry Fish abstained from voting.

**C.1) Convene as the Land Development Regulation Commission (LDRC)**

**1) Consistency Determination: Article 3 – Overlays & Zoning Districts**

Isaac Hoyos, Principal Planner of the Planning Division stated that the proposed amendments were consistent with the Comprehensive Plan.

Motion to approve as amended, by Martin Klein, seconded by Maurice Jacobson. The motion passed (8-3). Rosa Durando, Joanne Davis and Wayne Larry Fish voted nay.

Reconvene as the Land Development Regulation Advisory Board (LDRAB)

**B.2) ULDC Amendments (Continued)**

**1) Article 4 – Use Regulations; Article 5 – Supplementary Standards; Article 7 – Landscaping; and Article 18 - Definitions**

Motion to approve by Martin Klein, seconded by Maurice Jacobson. The motion passed (8-2). Joanne Davis and Rosa Durando voted nay. Wayne Larry Fish abstained from voting.

**C.2) Convene as the Land Development Regulation Commission (LDRC)**

**1) Proof of Publication**

Motion to approve by Maurice Jacobson seconded by Martin Klein. The motion passed unanimously (11-0).

**2) Consistency Determinations: Article 4 – Use Regulations; Article 5 – Supplementary Standards; Article 7 – Landscaping; and, Article 18 – Definitions**

Isaac Hoyos, Principal Planner of the Planning Division stated that the proposed amendments were consistent with the Comprehensive Plan.

Motion to approve as amended, by Martin Klein, seconded by Maurice Jacobson. The motion passed (8-2). Rosa Durando, Joanne Davis and Wayne Larry Fish voted nay.

**D) Reconvene as the Land Development Regulation Advisory Board (LDRAB)**

**E) Public Comments**

**1) Penny Riccio – Indian Trail Improvement District**

**F) Staff Comments**

None

**G) Adjourn**

The Land Development Regulation Advisory Board meeting adjourned at 5:05 p.m.

Recorded tapes of all Land Development Regulation Advisory Board are kept on file in the Palm Beach County Zoning/Code Revision office.

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ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES

SUMMARY OF AMENDMENTS

Revised 08/3/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
1	Art.2.B.3.B.2 Airport Variance Page 20 of 51	<p><b>2. Airport Variance</b></p> <p>A variance from Art.16.B.1, <del>Airports</del> <u>Airspace</u> Height Regulations, shall require the applicant to submit a copy of the application by certified mail to the FDOT Aviation Office, and the <del>FAA Department of Airports (DOA)</del>. The FDOT <del>and DOA</del> shall <u>each</u> have 45 days from receipt of the application to provide comments to the applicant and the BA, after which the right to comment is waived. The BA may proceed with consideration of an application only upon receipt of FDOT <del>and DOA</del> comments or upon the applicant's filing a copy of a certified mail return receipt <u>with the BA</u> showing the 45 days have elapsed, demonstrating <del>FDOT's</del> <u>FDOT and/or the DOA</u> intent to waive the right to comment. <u>In determining whether to issue or deny a variance, the BA shall consider:</u></p> <ol style="list-style-type: none"> <li><del>Application for a variance from the Airport Zoning regulations shall comply with the review procedures in Art.16.C.F.2, Variances. The nature of the terrain and height of existing structures.</del></li> <li><u>Public and private interests and investments.</u></li> <li><u>The character of the flying operations and planned development of the affected airport.</u></li> <li><u>Federal airways as designated by the FAA.</u></li> <li><u>Whether the construction of the proposed structure would cause an increase in the minimum descent altitude or the decision height of the affected airport.</u></li> <li><u>Technological advances.</u></li> <li><u>The safety of persons on the ground and in the air.</u></li> <li><u>Land use density.</u></li> <li><u>The safe and efficient use of navigable airspace.</u></li> <li><u>The cumulative effects on navigable airspace of all existing structures proposed structures identified in the applicable jurisdiction's comprehensive plans, and all other known proposed structures in the area.</u></li> <li><u>When issuing a variance under this subsection, the BA shall, as a specific condition of a variance, require obstruction marking and lighting of any permitted structures in accordance with the provisions of Chapter 333, Florida Statutes, Chapter 14-60 of the Florida Administrative Code and FAA Advisory Circular 70/7460-1H, as all may be amended from time to time. Variances under this subsection may only be allowed where the literal application or enforcement of the regulations would result in a practical difficulty or unnecessary hardship and where the relief granted would not be contrary to the public interest, but would do substantial justice and be in accordance with the spirit of Article 16, Airport Regulations and Chapter 333, Florida Statutes. A variance may be allowed subject to any reasonable conditions that the BA may deem necessary to effectuate the purposes of Article 16, Airport Regulations, and Chapter 333, Florida Statutes.</u></li> </ol>	Amendment – DOA added provisions regulating airport variances.
2	Art.2.B.3.D.2 Airport Zoning Variances Page 21 of 51	<p><b>2. Airport Zoning Variances</b></p> <p>An application for a variance from the requirements of Art. 16, Airport Regulations, shall not be considered until a copy of the application has been furnished by the Department of Airports <del>to the County Attorney</del> and FDOT Aviation Section <del>at least 50 working days prior to the BA public hearing by certified mail, return receipt requested.</del> <u>The DOA and FDOT Aviation Section shall each have 45 days from receipt of the application to provide their comments or waive that right. If either the DOA or FDOT Aviation Section fails to provide its comments within 45 days of receipt of the application, the right to comment shall be waived. The BA may proceed with its consideration of the application only upon receipt of the FDOT Aviation Section and DOA comments or waiver of that right as demonstrated by filing a copy of the return receipt(s) with the BA.</u></p>	Amendment - DOA added provisions governing submittal of the airport zoning variances.

Notes:

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ARTICLE 2 – DEVELOPMENT REVIEW PROCEDURES  
SUMMARY OF AMENDMENTS  
Revised 08/3/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
3	Art.2.B.3.D.2.a Airport Variances Page 21 of 51	a. <b>Airport Variances</b> When reviewing variances from <del>the</del> Art. 16, Airport Regulations, the BA may approve, approve with conditions, postpone, or deny with or without prejudice a variance for the erection, alteration, or modification of any structure which would cause the structure to exceed the Federal obstruction standards as contained in 14 C.F.R. <del>ss. Part 77.21, 77.23, 77.25, 77.28, and 77.29, as may be amended from time to time.</del> The variance may not always be evaluated or granted solely on the basis that the proposed will not exceed Federal obstruction standards. <del>If applicable, Except as otherwise provided for in this Article,</del> the standards in Art. 2.B.3.E, Standards, shall be used to evaluate the variance application.	Amendment - DOA corrected reference.
4	Art.2.C.1.D.11. c.1) Entitlement Continuance Page 26 of 51	1) <b>Entitlement Continuances</b> An applicant shall have the right to request and be granted one entitlement continuance, of no more than 60 days, of the LPA public hearing without an additional fee; provided that the request is made in writing at least 20 working days prior to the hearing. Additionally, an applicant shall have the right to request and be granted one entitlement continuance, of no more than 60 days, of the BCC Adoption public hearing; provided that the request is made in writing at least 20 working days prior to the hearing and is submitted along with an additional set of the required 500 foot public notice envelopes Art. <del>2.A.1.J.2</del> <u>2.C.1.D.7.b</u> , Courtesy Mailing. The Planning Division will honor entitlement continuances administratively.	Scrivener's error – Corrected reference.
5	Art.2.D.3.B.4 Vacant Lots Page 31 of 51	4. <b>Vacant Lots</b> The owner of a lot that is subject to <del>this Section</del> <u>the requirement in Art. 7.E.4.B. Vacant Lots</u> may apply to the Zoning Director for an administrative variance from the time frames, landscaping, and amount of coverage required based on consideration of the following criteria:	Amendment – Corrected references to accom- modate addition of vacant lot and vacant lot maintenance requirements.

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**ARTICLE 7 – LANDSCAPING**  
**SUMMARY OF AMENDMENTS**  
**Revised 08/04/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
1	Art.7.A.1.D Relation to Article 14, Vegetation Preservation and Protection Page 12 of 52	<b>D. Relation to Article 14, Vegetation Preservation and Protection</b> Landscaping plans required by this Article shall conform to the standards of Art. 14, Environmental Standards. Nothing in this Article shall be applied to contradict the requirements of Art. 14. Within 500 feet of a preserve area required by Art. 14, new landscaping, shall not include invasive non-native species as outlined in Art. 14.C, Vegetation Preservation and Protection, Appendix <del>F</del> <u>7, Invasive Non-Native Vegetation, and Appendix 9, Invasive Non-Native Vegetation within Preserves.</u>	Scrivener's error – ERM corrected reference.
2	Art.7.E.4 Maintenance Page 29 of 52	<b>Section 4 Maintenance</b>  <u>A</u> . PBC is responsible for the care and maintenance of the trees and vegetation on PBC-owned property, unless provided for otherwise by DO condition of approval. For all other properties, the property owner or successors in interest, contractor, or agent, if any, shall be jointly and severally responsible for the following:  <del>A</del> <u>1</u> . Regular maintenance of all landscaping is required. All landscaping shall be free from disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or any other actions needed, consistent with acceptable horticultural practices.  <del>B</del> <u>2</u> . Regular maintenance, repair, or replacement of landscape barriers and focal points, including landscape structures (e.g., walls, fences, fountains, and benches) in order to keep them in a structurally sound condition.  <del>C</del> <u>3</u> . Perpetual maintenance to prohibit the reestablishment of prohibited and non-native invasive species within landscape and preservation areas.  <del>D</del> <u>4</u> . Periodic maintenance to remove diseased or damaged limbs, or remove limbs or foliage that present a hazard. All trees and palms shall be allowed to grow to their natural mature height and to full canopy. No canopy tree shall be pruned until it has reached the minimum 20 foot required height and canopy spread, unless required to address damage by natural causes, such as hurricanes.  <del>E</del> <u>5</u> . Landscape areas which are required to be created or preserved by this Article shall not be used for temporary parking or the storage/display of materials or sale of products or services.	Amendment – References modified to accommodate addition of vacant lot maintenance and planting requirements.
3	Art.7.E.4 Maintenance Page 29 of 52	<b>B. Vacant Lots</b> <b>1. Affected Parties</b> <u>Any owner of a vacant lot in a residential neighborhood upon which a home has been demolished to the extent that it no longer qualifies for a certificate of occupancy must follow the maintenance requirements of Art. 7.E.4.B.5, Vacant Lot Maintenance and Planting Requirements, if the vacant lot, by itself or in combination with other vacant lots resulting from the demolition of a home or homes, results in significant degradation of the surrounding neighborhood as defined in Art. 18.A.2, Definitions (Significant degradation). In the event significant degradation occurs, all contiguous vacant lots that contribute to the significant degradation will be subject to Art. 7.E.4.B.5, Vacant Lot Maintenance and Planting Requirements.</u>	Amendment – Added previously omitted vacant lot maintenance and planting requirements.
4	Art.7.E.4 Continued	<b>2. Applicability</b> <u>Art. 7.E.4.B, Vacant Lots shall apply to the Urban/Suburban Tier in the unincorporated areas of Palm Beach County, as defined in the Plan.</u>	Vacant Lot Continued

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# ARTICLE 7 – LANDSCAPING

## SUMMARY OF AMENDMENTS

Revised 08/04/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
5	Art. 7.E.4 Continued	<p><b>3. Vacant Lot Exemptions</b>  <u>The following vacant lots shall be exempt from the requirements of Art. 7.E.4.B, Vacant Lots.</u></p> <p><u>a. Vacant lots resulting from the demolition of a home based on a declaration by the building official that the home is unsafe.</u></p> <p><u>b. When an owner initiates redevelopment of a vacant lot within 120 days of demolition, as evidenced by submittal of a building permit application for site plan approval, or other applicable development permit application or good faith effort to redevelop the lot, for so long as the permit or good faith effort is active.</u>  <u>In order to receive an exemption at the time of a demolition permit application, the applicant must submit an affidavit stating that the applicant expects to meet the above requirements The affidavit shall be made on a form established by the Zoning Director. If an exemption is granted based on an affidavit, the property owner shall submit evidence as required above within 120 days of completion of the demolition, or shall submit a planting plan within 30 days of the expiration of the 120 day period.</u></p> <p><u>c. Vacant lots where the home was demolished prior to April 23, 1996.</u></p> <p><u>d. Vacant lots resulting from eminent domain proceedings.</u></p> <p><u>e. Vacant lots resulting from demolition of a home using funding from a demolition program of the Department of Housing and Community Development.</u></p>	Vacant Lot Continued
6	Art. 7.E.4 Continued	<p><b>4. Vacant Lot Variance</b>  <u>A property owner may apply for a variance subject to Art. 2.D.3, Administrative Variance, as may be amended.</u></p>	Vacant Lot Continued
7	Art. 7.E.4 Continued	<p><b>5. Vacant Lot Maintenance and Planting Requirements</b></p> <p><b>a. Ground Treatment</b>  <u>Vacant lots regulated by this Section must be cleared of construction materials and debris, and must be planted with sufficient ground treatment to cover the entire lot in accordance with Art. 7.D.4, Ground Treatment. Existing ground treatment may be used to meet the requirements of this Section. The clearing and planting must be completed within 120 days of the completion of demolition, within 120 days of the effective date of this section, or within thirty days of Department approval of a planting plan, whichever is later. Slab foundations or other structural features remaining from demolished houses, or from other demolished structures, must be removed from vacant lots regulated by this section.</u></p>	Vacant Lot Continued
8	Art. 7.E.4 Continued	<p><b>b. Trees</b>  <u>Trees shall be planted or preserved in accordance with the requirements of Table 7.C.3 – 1, Minimum Tier Requirements, and Art. 7.D.2, Trees. Trees shall be native or drought tolerant.</u></p>	Vacant Lot Continued.
9	Art. 7.E.4 Continued	<p><b>c. Existing Trees</b>  <u>Preservation of existing native trees is encouraged and credit shall be given towards the above requirements. If existing native trees are removed, they shall be replaced in accordance with the standards in Table 7.D.2.D – 4, Tree Credit and Replacement, or Art.7.E.4.B.5.b, Trees, whichever is greater. The size of replacement trees shall be in accordance with Art. 7.D.2, Trees.</u></p>	Vacant Lot Continued.
10	Art. 7.E.4 Continued	<p><b>d. Prohibited Plant Species</b>  <u>Existing prohibited plant species must be removed and trees replaced on a one-to-one basis with a native tree. Replacement trees for removed prohibited plant species shall be consistent with the interior landscape requirements of Art. 7.D.2, Trees.</u></p>	Vacant Lot Continued.
11	Art. 7.E.4 Continued	<p><b>e. Removal</b>  <u>Removal shall be consistent with the provisions of Art. 14.C, Vegetation Preservation and Protection.</u></p>	Vacant Lot Continued.

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**ARTICLE 7 – LANDSCAPING**  
**SUMMARY OF AMENDMENTS**  
**Revised 08/04/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
12	Art. 7.E.4 Continued	<p><b>f. <u>Vacant Lot Planting Plan Application and Approval</u></b></p> <p><b>1) <u>Planting Plan</u></b> <u>The owner shall submit a planting plan indicating the method of ground treatment, existing and replacement trees, and irrigation simultaneously with the application for a demolition permit.</u></p> <p><b>2) <u>Demolition Permit</u></b> <u>The Building Division shall not issue the demolition permit until a planting plan is approved by the Zoning Division unless the applicant signs an affidavit in accordance with Art. 7.E.4.B.3.b.</u></p> <p><b>3) <u>Review of Planting Plan</u></b> <u>The Zoning Division shall determine if the planting plan is sufficient and includes the information necessary to evaluate the plan within five days of receipt. The Zoning Division shall approve, approve with conditions, or deny the plan within ten days of the determination of sufficiency. If necessary, the Zoning Division or Environmental Resources Management Department shall conduct a site visit as part of the plan review.</u></p> <p><b>4) <u>Standards</u></b> <u>The Zoning Division shall consider the following criteria in reviewing the planting plan: 1) whether or not the ground treatment and other landscape materials are consistent with the established character of the neighborhood; 2) whether or not the proposed planting is consistent with the applicable Crime Prevention Through Environmental Design principles contained in Art. 3.B.7.E.2.c, Crime Prevention Through Environmental Design (CPTED). Whether or not alternative or temporary irrigation methods such as hand-watering are acceptable.</u></p>	Vacant Lot Continued.
13	Art. 7.E.4 Continued	<p><b>g. <u>Vacant Lot Plant Installation, Maintenance, Pruning And Irrigation</u></b> <u>Native vegetation, drought tolerant vegetation, or ground treatment shall be installed, maintained, pruned and irrigated in accordance with the requirements of Art. 7.E, Installation, Maintenance, Pruning and Irrigation, as may be amended from time to time, and conditions of approval for the planting plan in Art. 7.E.4.B.5.f.1) above. Temporary irrigation methods may be approved for native vegetation only, subject to a maintenance/replacement agreement.</u></p>	Vacant Lot Continued.

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# ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS SUMMARY OF AMENDMENTS

**Revised 08/04/04**

Traffic Division submitted and/or reviewed the proposed amendments.

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
1	Art.12.A.2.B Background Traffic Page 8 of 45	<b>Background Traffic</b> – <u>for the purposes of Art. 12,</u> the Projected traffic generation from Previously Approved but incomplete Projects, and other sources of traffic growth, as described in Art. <del>12.C.1.C.2.e, Pass-by Trips</del> <u>12.C.1.C.4, Background Traffic.</u>	Scrivener's error – Corrected reference.
2	Art.12.A.2.B Concurrency Certificate Page 8 of 45	<b>Concurrency Certificate</b> - <u>for the purposes of Art. 12,</u> in the unincorporated area, Concurrency Reservation, <u>Traffic Concurrency Finding</u> , or Adequate Public Facilities Determination, as defined in Art. 2.F, Concurrency, and Art 18, Definitions; or similar confirmation in a Municipality.	Amendment – per DRO oversight committee.
3	Art.12.A.2.B Level of Service (LOS D) Page 9 of 45	<b>Level of Service (LOS D)</b> – <u>for the purposes of Art. 12,</u> as to Average Daily Traffic, Peak Hour Traffic two-way and Peak Direction on a Link, the numbers set forth in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, as to Traffic at an intersection, a Critical Volume of 1,400 or average delay of greater than 35 and less than or equal to 55 seconds based on the HCM 2000 operations analysis; as to speed thresholds, the numbers set forth in Table <del>12.B.2.C-5,2B: 12.B.2.C-3.1C</del> <u>LOS E Intersection Thresholds D Speed Thresholds.</u>	Scrivener's error – Corrected reference.
4	Art.12.A.2.B Model Radius of Development Influence Page 10 of 45	<b>Model Radius of Development Influence</b> – <u>for the purposes of Art. 12,</u> the radius of development influence used in the model test as set forth in Table <del>12.B.2.C-5,2B: -LOS E Intersection Thresholds.</del> <u>12.B.2.D-9 3B: Test 2 – Model Test – Maximum Radius Development Influence</u> The distance shall be measured in road miles from the point at which the Proposed-Project's traffic enters the first Link, not as a geometric radius.	Scrivener's error – Corrected reference.
5	Art.12.A.2.B Peak Hour Traffic Page 10 of 45	<b>Peak Hour Traffic</b> – <u>for the purposes of Art. 12,</u> shall mean the one hour of traffic representative of the peak <del>season period</del> , as defined in <del>this Section</del> <u>Art.12.C.1.B.5</u> and includes two-way and peak direction volumes. Peak Hour Traffic shall be determined from actual traffic counts conducted by the PBC. The Project may provide actual counts, at the approval of the County Engineer, or at the approval of the County Engineer, the Peak Hour Traffic may be determined by factoring the Average Daily Traffic by an approved "K" factor.	Amendment – Traffic Division expanded definition.
6	Art.12.A.2.B Radius of Development of Influence Page 11 of 45	<b>Radius of Development of Influence</b> – <u>for the purposes of Art. 12,</u> the area surrounding a proposed Project as set forth in Table 12.B.2.D-7, 3A: Test One - Maximum Radius of Development Influence herein. The distance shall be measured in road miles from the point at which the proposed Project's traffic enters the first Link, or Links, not as a geometric radius. <u>If a Project's Traffic is only significant in one direction from the point at which it enters the first Link, then the Radius of Development Influence shall only include that portion of the first Link.</u>	Amendment – per TPS oversight committee direction.
7	Art.12.A.2.B Significant Page 11 of 45	<b>Significant</b> – <u>for the purposes of Art. 12, Significant or significance shall refer to the amount of traffic that has been deemed to be of a level that requires the analysis of roadway Links and or intersections. For purposes of Test One, significance is calculated as the amount of two-way peak hour Project traffic assigned to a link taken as a percent of the LOS D service volume for that Link, as shown in Table 12.B.2.D.7. For Test Two, Significance shall be calculated as the amount of Average Daily Project traffic assigned to a Link divided by the LOS E service volume for that link, as shown in Table 12.B.2.D.8.</u>	Amendment – Traffic Division added definition of Significant.
8	Art.12.A.2.B Terms Herein Page 12 of 45	<b>Traffic Concurrency Finding</b> – <u>a determination approved by the County Engineer with or without conditions, that constitutes proof of adequate public facilities for traffic only to serve the proposed development. This determination shall expire within one year unless a site specific development order application for the proposed development or its equivalent is certified by the DRO. If the Traffic Concurrency Finding expires and the applicant wishes to renew the finding, then the applicant shall submit for approval by the County Engineer a new traffic study which utilizes the latest traffic count data and complies with the TPS in effect at that time.</u>	Amendment – per DRO oversight committee direction.

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**ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS**  
**SUMMARY OF AMENDMENTS**

**Revised 08/04/04**

Traffic Division submitted and/or reviewed the proposed amendments.

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
9	Art.12.B.1 General Page 15 of 45	<p><b>Section 1      General</b></p> <p>There is hereby established a TPS for all Major Thoroughfares within PBC. Except as specifically provided in this Article, no Site Specific Development Order shall be issued for a proposed Project which would violate this standard. This standard consists of two tests. The first test relates to the Buildout Period of the Project and requires that the Project not add Traffic in the Radius of Development Influence which would have Total Traffic exceeding the Adopted LOS at the end of the Project Buildout Period. Where a CRALLS service volume has been adopted, those volumes shall apply. <u>Where a CRALLS service volume has been adopted for the LINK only, the allowable service volume for the intersections at both ends of the CRALLS links shall be calculated as follows: Allowable CRALLS intersection volume = CRALLS Link volume/LINK LOS D volume x 1400. Where CRALLS service volumes have been adopted for contiguous links that meet at a common intersection, the allowable service volume for the intersection shall be calculated as follows: Allowable CRALLS intersection volume = the average of the two CRALLS Link volumes/Link LOS D volume x 1400. This Section shall not apply to intersections on CRALLS Links where no intersection CRALLS service volume has been adopted.</u> The second test relates to the modeling of traffic based upon Model Traffic. It requires that the Project address Traffic on any Link within the Model Radius of Development Influence. It requires that Total Model Traffic not exceed the Adopted LOS on any Link.</p>	Amendment - Traffic Division added calculations for allowable CRALLS intersection volumes.
10	Art.12.B.2.A.1. Part One – Intersections Page 16 of 45	<p><b>1.    Part One – Intersections</b></p> <p>This Part requires analysis of Major Intersections, within or beyond the Radius of Development Influence, where a Project's traffic is significant on a Link within the Radius <del>O</del>of Development ...</p> <p>a. At the <del>Major i</del>Intersection in each direction nearest to <u>the point at which the Proposed Project's Traffic enters</u> each Project Accessed Link, <u>and where the Project Traffic entering and exiting the intersection is significant</u>, analyze the Major Intersections using the Highway Capacity Manual (HCM) 1985 Planning Methodology (CMA). The intersections analyzed shall not exceed two intersections per Project Accessed Link.</p> <p>b. At all <del>Major i</del>Intersections where the Project Traffic comprises ten percent or more of the Total Traffic on at least one approach, the applicant shall conduct a CMA analysis.</p> <p>c. The intersections shall operate below the threshold of 1,400 vehicles per hour as a Critical Volume using CMA, ...</p> <p>d. If the HCM Operational Analysis is selected, ...</p> <p><u>e. For the projects on or having a directly accessed link to Southern Boulevard, the single Point Urban Interchange shall be treated as one of the nearest Major Intersections. For purposes of determining significance of the traffic entering and exiting the intersection, the traffic entering and exiting the ramps shall be considered against the combined LOS D capacity of the ramps, which shall be 4,200 vehicles per hour.</u></p>	Amendment – per TPS oversight committee direction.

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**SUMMARY OF AMENDMENTS**

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Traffic Division submitted and/or reviewed the proposed amendments.

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
11	Art.12.B.2.A.2 Part Two - Links 2 Page 16 of 45	<p><b>2. Part Two - Links</b></p> <p><u>This Part requires analysis of Links and Major Intersections as necessary within or beyond the Radius of Development Influence, where a Project's traffic is significant on a Link within the Radius of Development influence.</u></p> <p>The Total Traffic in the peak hour on the Link shall be compared to thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Peak Hour Traffic; two-way volume threshold. If the Total Traffic is equal to or lower than the thresholds, the Project shall pass Part Two of Test One. If the Total Traffic is higher than the threshold, then the Project fails Part Two. If the Project fails, the applicant may elect to complete a more detailed analysis as outlined below, to demonstrate compliance with Part Two.</p> <p>a. Optional Analysis i., <del>On</del> on all Links where the peak hour Total Traffic ...</p> <p>b. Optional Analysis ii, On all Links where the Total Traffic peak hour directional volumes exceed the thresholds in Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, Class II, the Total Traffic peak hour directional volumes shall be compared to the thresholds in Table 12.B.2.C-1 1A: LOS D Link Service Volumes, Class I and the Major Intersections on each end of the failing Link shall be analyzed using the CMA analysis. <u>If the project is on Southern Boulevard, the intersection created by the Single Point Urban Interchange shall not be considered the intersection at the end of the link since the intersection is actually not on Southern Boulevard. The project should include the next intersection with Southern Boulevard for analysis.</u> If these Intersections exceed the 1,400 Critical Volume, these intersections must meet LOS D using the HCM Operational analysis. The Project shall pass Part Two of Test One using this Optional Analysis if:</p> <p>1) the Total Traffic peak hour directional volume on the Link is less than the thresholds in Table 12.B.2.C-1, 1A: LOS D. Link Service Volumes Class I;</p> <p>2) and the intersections are below the 1,400 Critical Volume or below the Delay Threshold in Table 12.B.2.C-2, 1B: LOS D Intersection Thresholds.</p> <p>If the Project fails Part Two of Test One using optional analysis ii <u>but the intersections at the end of the failing link are below the 1,400 Critical Volume or below the Delay Threshold in Table 12.B.2.C-2,1B</u> a more detailed analysis as outlined in Optional Analysis iii may be completed to demonstrate compliance with Part Two.</p> <p>c. Optional Analysis iii, On all Links where the Total Traffic peak hour; two-way and directional volumes exceeded the allowable thresholds in Optional Analysis ii, <del>or but</del> the intersections at the end of <del>a the</del> Link <u>did not exceed the 1,400 Critical Volume or the LOS D Intersection Threshold on which the total peak hour thresholds were exceeded, the HCM Arterial Analysis Operational methodology shall be conducted.</u></p>	Amendment – per TPS oversight committee direction.
12	Art.12.B.2.B Model Test/Test 2 Page 17 of 45	<p><b>B. Model Test/Test 2</b></p> <p>1. Except as specifically provided in this Article, no Site Specific Development Order shall be issued which would add <u>Daily</u> Net Trips to any Link within the Project's Model Radius Development Influence if the Total Model Traffic on that Link would result in an Average <u>Daily</u> Traffic volume, as determined by the Model, that exceeds the Adopted LOS. For purposes of this analysis, the construction contemplated in the Model Plan shall be the basis.</p> <p>2. For proposed Projects generating more than seven 7,000 <u>Daily</u> Net Trips, except as specifically provided in this Article, no Site Specific Development Orders shall be issued which would add Net Trips to any Link within the Project's Model Radius of Development Influence if the Total Model Traffic (by utilization of Model to assign Net Trips) on that Link would result in an Average <u>Daily</u> Traffic volume, as determined by the Model, that exceeds the Adopted LOS. For purposes of this analysis, the construction contemplated in the Model Plan shall be the basis</p>	Scrivener's error – Traffic Division added term for clarification.

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ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS  
SUMMARY OF AMENDMENTS

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Traffic Division submitted and/or reviewed the proposed amendments.

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
13	Art.12.B.2.C Level of Service Standard Page 17 of 45	<b>C. Level of Service Standard</b>  1. The LOS D Standard Service Volumes as to Average Daily Traffic, ... 2. The LOS E Standard Service Volumes for Average Daily Traffic, Peak Hour Traffic two-way and directional, applied to Link Tests, are set forth in Table 12.B.2.C-4, 2A. LOS E Link Service Volumes, The LOS E thresholds relative to intersections are set forth in Table 12.B.2.C-5 2B, LOS E Intersection Thresholds. The LOS E thresholds associated with the HCM arterial analysis in terms of speed are provided in Table 12.B.2.C-6 2.C, <del>4</del> <b>2C</b> : LOS <del>D</del> <b>E</b> Speed Thresholds. 3. For roads on the FIHS, the LOS standard shall be LOS D in Urban Areas and LOS C in Transitioning Urban Areas, Urban Areas, or Communities; and, LOS B in Rural Areas as adopted by the FDOT. This standard must be met for roadways on a peak hour/peak direction basis. Numeric values for this standard, for planning purposes, are shown in Table <del>5-4</del> <b>4-7</b> in FDOTs "LOS Manual." For more specific capacity determinations, numeric calculations of this standard shall be in accordance with the methodologies for roadway capacity, (Chapter 11) contained within the Highway Capacity Manual, Special Report 209, Third Edition, as published by the Transportation Research Board or the FDOTs "Level of Service Manual" (1995 or as amended), using "ART-Plan". For Projects with impacts on the FIHS roadways the LOS standard shall be established and met for each Project phase, and at Project completion.	Scrivener's error – Traffic Division corrected reference.
14	Tbl.12.B.2.C-1 <b>1A</b> : LOS D Link Service Volumes Page 18 of 45	See table below.	Amendment – updated to match the transportation element of the Comprehensive Plan.

Table 12.B.2.C-1 1A: LOS D Link Service Volumes

FACILITY TYPE		ADT	Peak Hour Two Way	Peak Season, Peak Hour, Peak Direction	
				(Class I)	(Class II)
2 lanes undivided	2L	<del>44,900</del> <b>12,300</b>	<del>1,390</del> <b>1,170</b>	<del>880</del> <b>690</b>	<del>790</del> <b>650</b>
2 lanes one-way	2LO	<del>49,500</del> <b>19,600</b>	<del>1,840</del> <b>1,870</b>	<del>2,220</del> <b>2,230</b>	2,050
3 lanes two-way	3L	<del>45,600</del> <b>15,400</b>	1,460	<del>920</del> <b>860</b>	<del>830</del> <b>810</b>
3 lanes two-way	3LO	<del>29,300</del> <b>29,500</b>	<del>2,730</del> <b>2,810</b>	<del>3,340</del> <b>3,350</b>	<del>3,400</del> <b>3,080</b>
4 lanes undivided	4L	<del>24,400</del> <b>24,500</b>	<del>2,270</del> <b>2,330</b>	<del>1,390</del> <b>1,400</b>	1,280
4 lanes divided	4LD	<del>32,500</del> <b>32,700</b>	<del>3,020</del> <b>3,110</b>	<del>1,850</del> <b>1,860</b>	1,710
5 lanes two-way	5L	<del>32,500</del> <b>31,100</b>	<del>3,020</del> <b>2,950</b>	<del>1,850</del> <b>1,710</b>	<del>1,740</del> <b>1,620</b>
6 lanes divided	6LD	<del>48,900</del> <b>49,200</b>	<del>4,550</del> <b>4,680</b>	<del>2,780</del> <b>2,790</b>	<del>2,580</del> <b>2,570</b>
8 lanes divided	8LD	<del>60,400</del> <b>63,800</b>	<del>5,590</del> <b>6,060</b>	<del>3,400</del> <b>3,540</b>	<del>3,180</del> <b>3,330</b>
4 lanes expressway	4LX	<del>66,200</del> <b>67,200</b>	<del>5,800</del> <b>6,250</b>	<del>3,340</del> <b>3,440</b>	<del>3,340</del> <b>3,440</b>
6 lanes expressway	6LX	<del>101,600</del> <b>105,800</b>	<del>8,900</del> <b>9,840</b>	<del>5,080</del> <b>5,410</b>	<del>5,080</del> <b>5,410</b>
8 lanes expressway	8LX	<del>138,600</del> <b>144,300</b>	<del>12,200</del> <b>13,420</b>	<del>6,930</del> <b>7,380</b>	<del>6,930</del> <b>7,380</b>
10 lanes expressway	10LX	<del>173,200</del> <b>182,600</b>	<del>15,200</del> <b>16,980</b>	<del>8,660</del> <b>9,340</b>	<del>8,660</del> <b>9,340</b>

Based on the FDOT Quality/ LOS Manual, ~~1998~~ **2002** edition.  
Service volumes for "undivided" roadways assume no left turn lanes are available.

15	Tbl.12.B.2.C-4 <b>2A</b> : LOS E – Link Service Volumes Page 19 of 45	See table below.	Amendment – updated to match the transportation element of the Plan.
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ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS  
SUMMARY OF AMENDMENTS

Revised 08/04/04

Traffic Division submitted and/or reviewed the proposed amendments.

#	ULDC Article/ Section Page Number	Code Provision*				Reason for Amendment
Table 12.B.2.C-4 2A: LOS E- Link Service Volumes						
FACILITY TYPE		ADT	Peak Hour Two-Way	Peak Season, Peak Hour, Peak Direction Class I      Class II		
2 lanes undivided	2L	<del>46,200</del> 1,300	<del>4,500</del> 1,240	<del>880</del> 710	<del>850</del> 680	
2 lanes one-way	2LO	<del>20,600</del> 20,700	<del>4,940</del> 1,960	<del>2,220</del> 2,230	<del>2,470</del> 2,160	
3 lanes two-way	3L	<del>47,000</del> 16,300	<del>4,580</del> 1,550	<del>920</del> 890	<del>890</del> 850	
3 lanes one-way	3LO	<del>31,000</del> 31,100	<del>2,890</del> 2,950	<del>3,340</del> 3,350	<del>3,280</del> 3,250	
4 lanes undivided	4L	<del>25,700</del> 25,900	<del>2,390</del> 2,450	<del>1,390</del> 1,400	<del>1,360</del> 1,350	
4 lanes divided	4LD	<del>34,300</del> 34,500	<del>3,190</del> 3,270	<del>1,850</del> 1,860	<del>1,840</del> 1,800	
5 lanes two-way	5L	<del>34,300</del> 32,800	<del>3,190</del> 3,120	<del>1,850</del> 1,770	<del>1,840</del> 1,710	
6 lanes divided	6LD	<del>51,700</del> 51,800	<del>4,840</del> 4,920	<del>2,780</del> 2,790	<del>2,730</del> 2,710	
8 lanes divided	8LD	<del>63,400</del> 67,000	<del>5,900</del> 6,360	<del>3,400</del> 3,540	<del>3,350</del> 3,500	
4 lanes expressway	4LX	<del>81,700</del> 76,500	<del>7,200</del> 7,110	<del>4,090</del> 3,910	<del>4,090</del> 3,910	
6 lanes expressway	6LX	<del>425,400</del> 120,200	<del>41,000</del> 11,180	<del>6,270</del> 6,150	<del>6,270</del> 6,150	
8 lanes expressway	8LX	<del>471,400</del> 163,900	<del>45,100</del> 15,240	<del>8,550</del> 8,380	<del>8,550</del> 8,380	
10 lanes expressway	10LX	<del>213,800</del> 207,600	<del>48,800</del> 19,310	<del>40,690</del> 10,620	<del>40,690</del> 10,620	
Based on the FDOT <u>Quality</u> /LOS Manual, <del>1998</del> 2002 edition. <u>Service volumes for "undivided" roadways assume no left turn lanes are available.</u>						
16	Art.12.B.2.D Maximum Radius of Development Influence Page 19 of 45	D. <b>Maximum Radius of Development Influence</b> / <b>Project Significance</b> Table 12.B.2.D-7, <b>3A</b> and Table 12.B.2.D-8, <b>3B</b> represent the maximum Radius of Development Influence- (Test One) and Model Maximum Radius of Development Influence (Test Two) for the specific volume of the proposed Project's Net Trips. Where the distribution of the Project's Net Trips on the Major Thoroughfare system results in 95 percent or more of its traffic assigned beyond the Radius of Development Influence on one link, the radius will expand to include the Links of the first Major Intersection beyond the RDI.				Amendment – Traffic Division expanded definition.
17	Tbl.12.B.2.D-7 3A: Test One – Maximum Radius of Development Influence Page 19 of 45	See table below.				Scrivener's error – Traffic Division corrected terminology.
Table 12.B.2.D-7 3A: Test One – Maximum Radius Of Development Influence						
Net External- <del>Off</del> Peak Hour			Two-Way Trip Generation	<del>Distance</del> -Radius		
1		thru	20	Directly Accessed Link(s) of First Accessed Major Thoroughfare(s)		
21		thru	50	0.5 miles		
51		thru	100	1 mile		
101		thru	500	2 miles		
501		thru	1,000	3 miles		
1,001		thru	2,000	4 miles		
2,001		thru	Up	5 miles		
18	Table12.B.2.D-9-3B Test 2 – Model Test – Maximum Radius Development Influence Page 20 of 45	See table below.				Amendment - Renumbered and relocated table.

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SUMMARY OF AMENDMENTS

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Traffic Division submitted and/or reviewed the proposed amendments.

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment																
<b>Table 12.B.2.D-89 3B: Test 2 – Model Test –Maximum Radius Development Influence</b>																			
<table><tr><th>Net <del>Daily</del> Trip Generation</th><th>Distance Radius</th></tr><tr><td>1 – 50</td><td>Need not address any Link under Test 2</td></tr><tr><td>51 – 1,000</td><td>Only address Project-Accessed Link on first accessed major thoroughfare.</td></tr><tr><td>1,001 – 4,000</td><td>1 Mi.</td></tr><tr><td>4,001 – 8,000</td><td>2 Mi.</td></tr><tr><td>8,001 – 12,000</td><td>3 Mi.</td></tr><tr><td>12,001 – 20,000</td><td>4 Mi.</td></tr><tr><td>20,001 – up</td><td>5 Mi.</td></tr></table> <p>A Project must address only those Links on which its Net Trips are greater than three percent of the LOS E of the Link affected on an ADT basis up to the limits set forth in Table 12.B.2.C-5, 2.B: LOS E Intersection Threshold. Provided, in all cases, I-95 shall be addressed only if Net Trips on I-95 are greater than five percent of the LOS E of the Link affected on an ADT basis up to the limits set forth in Table 12.B.2.C-5: 2.B: LOS E Intersection Threshold.</p>				Net <del>Daily</del> Trip Generation	Distance Radius	1 – 50	Need not address any Link under Test 2	51 – 1,000	Only address Project-Accessed Link on first accessed major thoroughfare.	1,001 – 4,000	1 Mi.	4,001 – 8,000	2 Mi.	8,001 – 12,000	3 Mi.	12,001 – 20,000	4 Mi.	20,001 – up	5 Mi.
Net <del>Daily</del> Trip Generation	Distance Radius																		
1 – 50	Need not address any Link under Test 2																		
51 – 1,000	Only address Project-Accessed Link on first accessed major thoroughfare.																		
1,001 – 4,000	1 Mi.																		
4,001 – 8,000	2 Mi.																		
8,001 – 12,000	3 Mi.																		
12,001 – 20,000	4 Mi.																		
20,001 – up	5 Mi.																		
19	Art.12.B.2.D Maximum Radius of Development Influence Page 20 of 45	Table 12.B.2.D-9-3B identifies the thresholds for the purposes of defining project significance for Test One. The LOS D thresholds shall mean those two-way peak hour volumes listed in Table 12.B.2.c-1 1A. Table 12.B.2.D-10-4B identifies the Significance thresholds for Test Two. The LOS E thresholds shall be those ADT volumes listed in Table 12.B.2.C-4.2A.	Amendment – Added new text.																
20	Tbl.12.B.2.D-8-3B Test One Levels of Significance Page 20 of 45	See table below.	Amendment - Renumbered and relocated table.																
<b>Table 12.B.2.D-8 9-3B – Test One Levels of Significance</b>																			
<table><tr><th>Facility</th><th>All Links (except I-95 and the Turnpike)</th><th>I-95/Turnpike</th></tr><tr><td>Significance Level</td><td>one percent LOS D</td><td>five percent LOS D</td></tr></table>				Facility	All Links (except I-95 and the Turnpike)	I-95/Turnpike	Significance Level	one percent LOS D	five percent LOS D										
Facility	All Links (except I-95 and the Turnpike)	I-95/Turnpike																	
Significance Level	one percent LOS D	five percent LOS D																	
21	Art.12.B.2.D Maximum Radius of Development Influence Page 20 of 45	See table below.	Amendment – Added table for Test Two.																
<b>Table 12.B.2.D-10-4B – Test Two Levels of Significance</b>																			
<table><tr><th>Facility</th><th>All Links (except I-95 and the Turnpike)</th><th>I-95/Turnpike</th></tr><tr><td>Significance Level</td><td>three percent LOS E</td><td>five percent LOS E</td></tr></table>				Facility	All Links (except I-95 and the Turnpike)	I-95/Turnpike	Significance Level	three percent LOS E	five percent LOS E										
Facility	All Links (except I-95 and the Turnpike)	I-95/Turnpike																	
Significance Level	three percent LOS E	five percent LOS E																	
22	Art12.C.1.C.4.c Major Project Page 24 of 45	c. <b>Major Project Maps Tables</b> Using the Major Project <del>Maps</del> <u>Tables</u> , all traffic from the unbuilt portion of Major Projects which have received a concurrency reservation <u>or traffic concurrency finding</u> prior to the County Engineer's approval of the proposed Project's traffic study which will add more trips than ten percent of the LOS D Table 12.B.2.C-1, 1A: LOS D Link Service Volumes, to any Link within the proposed Project's Radius of Development Influence during the Buildout Period of proposed Project shall be specifically accounted for in projecting Traffic. No double counting of trips shall occur, and the historically derived projections shall be adjusted based upon the impact of Major Projects. Only the traffic generated from the unbuilt portions of the Major Projects as set forth above which are projected to be built during the Buildout Period of the proposed Project shall be considered.	Amendment – per DRO oversight committee direction.																
23	Art.12.H.2 Eligibility Page 30 of 45	See table below.	Scrivener's error – Added table reference and title.																

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ARTICLE 12 – TRAFFIC PERFORMANCE STANDARDS
SUMMARY OF AMENDMENTS

Revised 08/04/04

Traffic Division submitted and/or reviewed the proposed amendments.

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment	
<b>Table 12.H.2 – 11 – Ranges of Housing Opportunities</b>				
		Very low (up to 50 percent of the median)	10 - 40 percent	
		Low (from 50 percent to 80 percent of the median)	10 - 40 percent	
		Moderate (from 80 percent to 120 percent of the median)	20 - 70 percent	
		Middle (from 120 percent to 150 percent of the median)	10 - 20 percent	
		High (over 150 percent of the median)	-05 - 30 percent	
24	Art.12.H.3 Application Review of Special Methodologies Projects Page 31 of 45	See table below.	Scrivener's error – Added table reference and title.	
<b>Table 12.H.3.B – 12 – Proportions of Households as Described by Income</b>				
<b>Percent of Affordable Housing Existing Within a Sector and Minimum Very Low and Low Housing Required *, **</b>				
Existing	Under 20 percent	20-40 percent	40-50 percent	Over 50 percent
Required	40 percent	30 percent	20 percent	10 percent
<b>Percent of Moderate Income Housing Existing Within a Sector and Minimum Moderate Housing Required</b>				
Existing	Under 20 percent	20-60 percent	Above 60 percent	
Required	20 percent	10 percent	0 percent	
*The distribution of very low and/or low required in a Project is 50 percent of each type of housing with the exception of Projects with only owner-occupied units which shall be required only to provide low income units. These Projects may fulfill the minimum requirement of very low and low -income units with the provision of all low income units.				
**Minimum percentages as applied to a number of units to be constructed will be rounded down to the nearest whole unit number or one unit, whichever is greater.				
<b>Note:</b> The Commission of Affordable Housing, in conjunction with the Planning Division, shall identify and periodically update the criteria to be used for evaluating the appropriate mix of very low, low, and other housing in a Project that is to be reviewed for compliance with the Special Methodologies provisions. Upon request, this information shall be made available to an applicant.				
25	Art.12.I.2.D Sufficiency Review/Recommendation Page 33 of 45	<del><b>D—Sufficiency Review/Recommendation</b> The review agencies shall have 60 days within which to review the application for sufficiency and the Director shall notify the Local Government as to the specific deficiencies. The Local Government shall have 60 days to provide the additional information or notify the Director that it is electing to withdraw its application. The application shall be reviewed by all agencies within 60 days of the determination that the application is sufficient. The LUAB shall make its recommendation within six weeks of receiving all agencies' reviews. The BCC shall take action on the application in accordance with F. S. Chapter 163 and Rule 9J-5, F.A.C.</del>	Amendment – per County Attorney's direction.	
26	Art.12.J.2 Creation Page 35 of 45	<b>Section 2 Creation</b>  Because of these public benefits there is hereby established pursuant to Policy 1.2-a of the Transportation Element of the Plan a Coastal Residential exception which shall be within the Incorporated Area east of I95, ... <u>The Coastal Residential Exception shall not apply to conditions or limitations placed on residential Projects or the residential component of mixed use projects that are located within the boundaries of a Transportation Concurrency Exemption Area as designated pursuant to Chapter L of this Article.</u>	Amendment – per County Attorney's direction.	

Ref: U:\zoning\CODEREV\2004\Ordinances\Glitch\Art. 12\8-12-04 LDRAB Hearing.doc

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# ARTICLE 14 – ENVIRONMENTAL STANDARDS SUMMARY OF AMENDMENTS

Revised 08/04/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
1	Art. 14.A.2.A Definitions Page 7 of 62	<del>Dune Crest – The highest point in elevation of the dune.</del>	Amendment – ERM deleted redundant definition.
2	Art. 14.A.9.C.4 [Related to - Criteria for STLP Approval] Page 10 of 62	4. all lights on balconies shall be eliminated or shielded from the beach. Proposed balcony lights, which do not meet standard Art. 14.A.9.C.1, <u>Criteria for STLP Approval, above</u> shall not be authorized, and	Scrivener's error – ERM corrected reference.
3	Art.14.A.9.C.8 [Related to - Criteria for STLP Approval] Page 11 of 62	<u>8. Bonfires on the beach shall be prohibited during Sea Turtle Nesting season.</u>	Amendment – ERM expanded criteria for STLP to prohibit bonfires on beaches during nesting season.
4	Art.14.B.7.B.4. e.2) [Related to - Bond Requirement] Page 29 of 62	2) Closure of a facility, provided that the conditions listed in Art. 14.B.7.B.2.a.3), <del>Closure Permit,</del> <u>above</u> for waiver of certification by an engineer or geologist are applicable.	Scrivener's error – ERM corrected reference.
5	Art.14.B.13.A.4 [Related to – Revocation] Page 33 of 62	4. Has refused lawful inspection under Art. 14.B.7.A.4, <del>Bond Required,</del>	Scrivener's error – ERM corrected reference.
6	Art.14.C.2.A.3 [Related to Alteration] Page 39 of 62	3. Introduction of livestock for graz <u>ing</u> ;	Scrivener's error – ERM corrected spelling.
7	Art.14.C.1.A.4 [Related to – Goals] Page 39 of 62	4. To mitigate the removal of native vegetation when the vegetation cannot be preserved in <u>place</u> or relocated under the proposed site plan; and	Scrivener's error – ERM corrected spelling.
8	Art.14.C.2 Definitions Page 39 of 62	<b>Specimen Tree</b> – <u>for the purposes of Art. 14, a A</u> tree that has attained an age where its size, stature, health, and appearance contributes to the aesthetics of an area. Trunk sizes designating specimen stature of the most commonly found native trees are listed in Appendix 8, Specimen Tree List. Other trees are <del>s</del> Specimen Trees, if the trunk has attained a diameter size of at least 33 percent of that of the State of Florida Division of Forestry's listed <del>s</del> State of Florida champion for the applicable tree.	Scrivener's error – ERM corrected grammar.
9	Art.14.C.8.G Mitigation or Enhancement Projects Page 43 of 62	<b>G. Mitigation or Enhancement Projects</b> Activities conducted pursuant to a permit from SFWMD, Florida Department of Environmental Protection, or ERM under F. S. Chapters 403 and 373, as amended, and <del>F.S.</del> Chapter 62-312, F.A.C. as amended, including activities approved under an adopted Surface Water Improvement and Management Plan.	Scrivener's error – ERM corrected reference.
10	Art.14.C.9.B Removal of Prohibited Invasive Non- Native Vegetation Page 44 of 62	<b>B. Removal of Prohibited Invasive Non-Native Vegetation</b> Complete removal or eradication of prohibited invasive non-native vegetation, as identified in Appendices 6 Prohibited Invasive Non-Native Vegetation, <u>and 7, Invasive Non-Native Vegetation</u> , shall be completed for the entire parcel prior to receipt of the CO <sub>2</sub> . Planting or installation of vegetation identified in Appendix 6, Prohibited Invasive Non-Native Vegetation, <u>and Appendix 7, Invasive Non-Native Vegetation</u> , is prohibited. The parcel owner shall maintain the parcel free of prohibited vegetation. <u>No additional permit for such maintenance of vegetation shall be required.</u>	Amendment – ERM corrected reference and clarified that no permit is needed to remove prohibited vegetation.

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# ARTICLE 14 – ENVIRONMENTAL STANDARDS SUMMARY OF AMENDMENTS

**Revised 08/04/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
11	<b>Art. 14.C.10</b> General Permit <b>Page 44 of 62</b>	<b>Section 10 General Permit</b> A parcel owner may apply for a general permit to remove minor vegetation or for prohibited and invasive non-native vegetation. A general permit with appropriate conditions designed to protect native vegetation may be issued following an on-site meeting with the parcel owner or the parcel owner's agent and receipt of a completed permit application signed by the parcel owner or the parcel owner's agent. Such permit conditions may include, but are not limited to, setbacks from protected vegetation, recommended methods of vegetation removal, protection of specimen trees and listed species, removal of <del>p</del> <u>Prohibited</u> <del>and</del> <u>Invasive Non-native</u> <del>v</del> <u>Vegetation</u> and recommended vegetation disposal. Parcels cleared under this Section shall be maintained free of <del>p</del> <u>Prohibited Invasive Non-Native Vegetation</u> and <del>↓</del> <u>Invasive</u> <del>n</del> <u>Non-native</u> <del>v</del> <u>Vegetation as identified in Appendices 6, Prohibited Invasive Non-Native Vegetation, and 7, Invasive Non-Native Vegetation. No additional permit for such maintenance of vegetation shall be required.</u> General permits are valid for two years, unless extended in writing by ERM.	Scrivener's error – ERM corrected grammar and inserted references.
12	<b>Art.14.C.11.B.1</b> Removal of Prohibited Invasive Non-Native Vegetation <b>Page 44 of 62</b>	<b>1. Removal of Prohibited Invasive Non-Native Vegetation</b> Removal or eradication of prohibited <u>and</u> invasive non-native vegetation identified in Appendix 6, Prohibited Invasive Non-Native Vegetation, <u>and Appendix 7, Invasive Non-Native Vegetation,</u> shall be completed for the entire parcel concurrent with the permitted vegetation alteration and prior to receipt of the first CO, if applicable, unless a phasing plan has been approved in writing by ERM. The parcel owner shall thereafter maintain the parcel free of this prohibited invasive non-native vegetation. No additional permit for such maintenance of vegetation shall be required.	Scrivener's error – ERM corrected reference.
13	<b>Art.14.C.11.B.2</b> Incorporation or Relocation of Existing Native Vegetation <b>Page 45 of 62</b>	<b>2. Incorporation or Relocation of Existing Native Vegetation</b> ... Non-relocatable native vegetation that cannot be maintained on the parcel shall be mitigated for in accordance with <del>the Tree Replacement Table</del> 14.C.16-1, <del>The</del> Tree Replacement Table. There is no requirement to provide vegetation for surplus. ERM shall also consider: ....	Scrivener's error –ERM deleted redundant text.
14	<b>Art.14.C.11.B. 3.c</b> [Related to - Specimen Tree Removal] <b>Page 45 of 62</b>	c. If a specimen tree cannot be relocated, the parcel owner shall install replacement plantings consisting of native vegetation pursuant to Table 14.C.16-1, <del>The</del> Tree Replacement <del>Table</del> . This requirement is in addition to Landscape Code requirements and any other conditions of approval. Off-site replacement shall be allowed if on-site planting is not feasible due to unsuitable parcel conditions. Off-site planting shall be in or adjacent to a public park parcel or native upland area;	Scrivener's error – ERM corrected reference.
15	<b>Art.14.C.11.B. 3.e</b> [Related to - Specimen Tree Removal] <b>Page 45 of 62</b>	e. The parcel owner shall provide irrigation, mulch, and other practical means to ensure survivorship of any relocated specimen tree. If a relocated specimen tree does not survive, it shall be replaced with a native tree pursuant to Table 14.C.16-1, <del>The</del> Tree Replacement <del>Table</del> .	Scrivener's error – ERM corrected reference.
16	<b>Art.14.C.11.B. 3.g</b> [Related to - Specimen Tree Removal] <b>Page 45 of 62</b>	g. Sabal palms may be allowed as replacement plantings for canopy trees if approved by ERM and planted at 3:1 (palms: required replacement trees) based on Table 14.C.16-1, <del>The</del> Tree Replacement <del>Table</del> , on 10 foot centers, +/-1 foot and grouped as shown on a planting plan Table approved by ERM;	Scrivener's error – ERM corrected reference.
17	<b>Art.14.C.11.c.1. g</b> [Related to - Option For Permit in Advance of Approval By Other Agencies] <b>Page 48 of 62</b>	g. Within one year of permit issuance, all prohibited invasive non-native vegetation shall be removed. Throughout construction, the parcel shall be maintained to prevent the re-establishment of prohibited invasive non-native vegetation. A report verifying the removal of prohibited invasive non-native vegetation shall be submitted to ERM by a landscape architect, environmental professional, or arborist. In the event PBC exercises its option on the guarantee pursuant to Art. 14.C.11.C.1.c, <del>Option for Permit in Advance of Approval by Other Agencies,</del> above, this maintenance and monitoring shall cease.	Scrivener's error – ERM corrected reference

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ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
Revised 08/04/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment																																																		
18	Art.14.C.11.C.5 Selective Mitigation Page 49 of 62	<b>5. Selective Mitigation</b> A parcel owner may selectively relocate trees on the parcel prior to the first to occur of the issuance of a Land Development Permit, building permit or written notification of technical compliance, if the relocation will increase the survivability of native trees. The parcel owner shall submit to ERM a standard permit application demonstrating that the trees are relocatable. No relocation may occur prior to issuance of the ERM Permit. Trees that do not survive shall be replaced with native trees according to <del>Art.</del> <b>Table 14.C.16-1, Tree Replacement Table.</b>	Scrivener's error – ERM corrected reference.																																																		
19	Art. 14.C.16 Mitigation or Restoration Page 52 of 62	<b>Section 16 Mitigation or Restoration</b>  When native trees are removed or damaged without a permit or when trees that were to be preserved in place or relocated are damaged or destroyed during activities conducted with a permit, they shall be replaced at double the rate shown in the Table 14.C.16-1, <del>The</del> Tree Replacement <del>Table.</del> <u>For replacement vegetation, which dies other than by damage or destruction, the replacement value shall be that in Table 14.C.16-1, Tree Replacement. Should replacement values not be found in the Table, the vegetation shall be replaced like size for like size. Table 14.C.16-1, The</u> Tree Replacement <del>Table,</del> shall apply to mitigation or restoration as follows:  ....	Amendment – ERM added provisions applicable to vegetation that died in the course of natural cycle.																																																		
20	Tbl.14.C.16-1 Tree Replacement Table Page 52 of 62	<b>Table 14.C.16-1 Tree Replacement Table</b> <table><tr><th>Crown Spread of Tree</th><th>Or</th><th>Diameter at 4.5 Feet Above Grade</th><th>=</th><th>Replacements</th></tr><tr><td>90 Feet or Greater</td><td>Or</td><td>27 inches or more</td><td>=</td><td>9</td></tr><tr><td>60-89 Feet</td><td>Or</td><td>24-26 inches</td><td>=</td><td>8</td></tr><tr><td>50-59 Feet</td><td>Or</td><td>21-23 inches</td><td>=</td><td>7</td></tr><tr><td>40-49 Feet</td><td>Or</td><td>18-20 inches</td><td>=</td><td>6</td></tr><tr><td>30-39 Feet</td><td>Or</td><td>15-17 inches</td><td>=</td><td>5</td></tr><tr><td>20-29 Feet</td><td>Or</td><td>12-14 inches</td><td>=</td><td>4</td></tr><tr><td>10-19 Feet</td><td>Or</td><td>9-11 inches</td><td>=</td><td>3</td></tr><tr><td>5-9 Feet</td><td>Or</td><td>6- 8inches</td><td>=</td><td>2</td></tr><tr><td>Less than 5 Feet</td><td>Or</td><td>Less than 6 inches</td><td>=</td><td>0</td></tr></table>	Crown Spread of Tree	Or	Diameter at 4.5 Feet Above Grade	=	Replacements	90 Feet or Greater	Or	27 inches or more	=	9	60-89 Feet	Or	24-26 inches	=	8	50-59 Feet	Or	21-23 inches	=	7	40-49 Feet	Or	18-20 inches	=	6	30-39 Feet	Or	15-17 inches	=	5	20-29 Feet	Or	12-14 inches	=	4	10-19 Feet	Or	9-11 inches	=	3	5-9 Feet	Or	6- 8inches	=	2	Less than 5 Feet	Or	Less than 6 inches	=	0	Scrivener's error – ERM corrected reference.
Crown Spread of Tree	Or	Diameter at 4.5 Feet Above Grade	=	Replacements																																																	
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## Revised 08/04/04

**Notes:**

## LDRAB/LDRC

**August 12, 2004**

Attachment "E", Page 4 of 5

ARTICLE 14 – ENVIRONMENTAL STANDARDS  
SUMMARY OF AMENDMENTS  
Revised 08/04/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment																																																																																																									
APPENDIX 9 INVASIVE NON-NATIVE VEGETATION WITHIN PRESERVES																																																																																																												
<table><tr><th>COMMON NAME</th><th>SCIENTIFIC NAME</th><th>TYPE</th></tr><tr><td>Arrowhead vine</td><td><i>Syngonium podophyllum</i></td><td>Vine</td></tr><tr><td>Asparagus fern</td><td><i>Asparagus densiflorus</i></td><td>Ground cover</td></tr><tr><td>Banyan</td><td><i>Ficus bengalensis</i></td><td>Tree</td></tr><tr><td>Beach naupaka</td><td><i>Scaevola sericea</i></td><td>Shrub</td></tr><tr><td>Bishop-wood</td><td><i>Bischofia javanica</i></td><td>Tree</td></tr><tr><td>Caesar weed</td><td><i>Urena lobata</i></td><td>Shrub</td></tr><tr><td>Cat's claw</td><td><i>Mimosa pigra</i></td><td>Shrub</td></tr><tr><td>Cat's claw vine</td><td><i>Macfadyena unguis-cati</i></td><td>Vine</td></tr><tr><td>Castor bean</td><td><i>Ricinus communis</i></td><td>Herb</td></tr><tr><td>Chinese tallow tree</td><td><i>Sapium sebiferum</i></td><td>Vine</td></tr><tr><td>Downy rose myrtle</td><td><i>Rhodomyrtus tomentosus</i></td><td>Shrub</td></tr><tr><td>Gold Coast Jasmine</td><td><i>Jasminum dichotomum</i></td><td>Shrub</td></tr><tr><td>Guava</td><td><i>Psidium guajava</i></td><td>Tree</td></tr><tr><td>Java plum</td><td><i>Syzygium cumini</i></td><td>Tree</td></tr><tr><td>Lather leaf</td><td><i>Colubrina asiatica</i></td><td>Vine</td></tr><tr><td>Laurel fig</td><td><i>Ficus microcarpa</i></td><td>Tree</td></tr><tr><td>Lead tree</td><td><i>Leucaena leucocephala</i></td><td>Tree</td></tr><tr><td>Lofty fig</td><td><i>Ficus altissima</i></td><td>Tree</td></tr><tr><td>Mahoe</td><td><i>Hibiscus tiliaceus</i></td><td>Tree</td></tr><tr><td>Mother-in-law tongue</td><td><i>Sansevieria hyacinthoides</i></td><td>Ground cover</td></tr><tr><td>Pothos</td><td><i>Epipremnum pinnatum</i></td><td>Vine</td></tr><tr><td>Portia tree or Seaside mahoe</td><td><i>Thespesia populnea</i></td><td>Tree</td></tr><tr><td>Rosary pea</td><td><i>Abrus precatorius</i></td><td>Vine</td></tr><tr><td>Shoebutton ardisia</td><td><i>Ardisia solanaceae</i></td><td>Shrub</td></tr><tr><td>St. Augustine</td><td><i>Stenotaphrum secundatum</i></td><td>Grass</td></tr><tr><td>Strawberry Guava</td><td><i>Psidium cattleianum</i></td><td>Tree</td></tr><tr><td>Stinking passion vine</td><td><i>Passiflora foetida</i></td><td>Vine</td></tr><tr><td>Surinam cherry</td><td><i>Eugenia uniflora</i></td><td>Shrub</td></tr><tr><td>Tuberous sword fern</td><td><i>Nephrolepis cordifolia</i></td><td>Ground cover</td></tr><tr><td>Two leaf nightshade</td><td><i>Solanum diphyllum</i></td><td>Shrub</td></tr><tr><td>Wedelia</td><td><i>Wedelia trilobata</i></td><td>Vine</td></tr><tr><td>Wild balsam apple</td><td><i>Momordica charantia</i></td><td>Vine</td></tr><tr><td>Woman's tongue</td><td><i>Albizia lebbbeck</i></td><td>Tree</td></tr><tr><td>Winged Yam</td><td><i>Dioscorea alata</i></td><td>Vine</td></tr></table>				COMMON NAME	SCIENTIFIC NAME	TYPE	Arrowhead vine	<i>Syngonium podophyllum</i>	Vine	Asparagus fern	<i>Asparagus densiflorus</i>	Ground cover	Banyan	<i>Ficus bengalensis</i>	Tree	Beach naupaka	<i>Scaevola sericea</i>	Shrub	Bishop-wood	<i>Bischofia javanica</i>	Tree	Caesar weed	<i>Urena lobata</i>	Shrub	Cat's claw	<i>Mimosa pigra</i>	Shrub	Cat's claw vine	<i>Macfadyena unguis-cati</i>	Vine	Castor bean	<i>Ricinus communis</i>	Herb	Chinese tallow tree	<i>Sapium sebiferum</i>	Vine	Downy rose myrtle	<i>Rhodomyrtus tomentosus</i>	Shrub	Gold Coast Jasmine	<i>Jasminum dichotomum</i>	Shrub	Guava	<i>Psidium guajava</i>	Tree	Java plum	<i>Syzygium cumini</i>	Tree	Lather leaf	<i>Colubrina asiatica</i>	Vine	Laurel fig	<i>Ficus microcarpa</i>	Tree	Lead tree	<i>Leucaena leucocephala</i>	Tree	Lofty fig	<i>Ficus altissima</i>	Tree	Mahoe	<i>Hibiscus tiliaceus</i>	Tree	Mother-in-law tongue	<i>Sansevieria hyacinthoides</i>	Ground cover	Pothos	<i>Epipremnum pinnatum</i>	Vine	Portia tree or Seaside mahoe	<i>Thespesia populnea</i>	Tree	Rosary pea	<i>Abrus precatorius</i>	Vine	Shoebutton ardisia	<i>Ardisia solanaceae</i>	Shrub	St. Augustine	<i>Stenotaphrum secundatum</i>	Grass	Strawberry Guava	<i>Psidium cattleianum</i>	Tree	Stinking passion vine	<i>Passiflora foetida</i>	Vine	Surinam cherry	<i>Eugenia uniflora</i>	Shrub	Tuberous sword fern	<i>Nephrolepis cordifolia</i>	Ground cover	Two leaf nightshade	<i>Solanum diphyllum</i>	Shrub	Wedelia	<i>Wedelia trilobata</i>	Vine	Wild balsam apple	<i>Momordica charantia</i>	Vine	Woman's tongue	<i>Albizia lebbbeck</i>	Tree	Winged Yam	<i>Dioscorea alata</i>	Vine
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St. Augustine	<i>Stenotaphrum secundatum</i>	Grass																																																																																																										
Strawberry Guava	<i>Psidium cattleianum</i>	Tree																																																																																																										
Stinking passion vine	<i>Passiflora foetida</i>	Vine																																																																																																										
Surinam cherry	<i>Eugenia uniflora</i>	Shrub																																																																																																										
Tuberous sword fern	<i>Nephrolepis cordifolia</i>	Ground cover																																																																																																										
Two leaf nightshade	<i>Solanum diphyllum</i>	Shrub																																																																																																										
Wedelia	<i>Wedelia trilobata</i>	Vine																																																																																																										
Wild balsam apple	<i>Momordica charantia</i>	Vine																																																																																																										
Woman's tongue	<i>Albizia lebbbeck</i>	Tree																																																																																																										
Winged Yam	<i>Dioscorea alata</i>	Vine																																																																																																										

# ARTICLE 15 – HEALTH REGULATIONS SUMMARY OF AMENDMENTS

**Revised 08/05/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
1	<b>Art.15.A.5.D</b> [Related to Application Data for an OSTDS: Single Lot or Parcel] <b>Page 7 of 28</b>	D. If the application is for a lot that is exempt under Art.15.A.7.E, <del>Exemptions of this Article</del> , documentation shall be submitted to substantiate the existence of the lot prior to January 1, 1972. Documentation shall be: ....	Scrivener's error – Corrected reference.
2	<b>Art.15.A.7.A</b> [Related to Approval Standards: OSTDS] <b>Page 7 of 28</b>	A. The lot, unless exempt under Art. 15.A.7.E, <del>Exemptions of this Article</del> , shall have a minimum net usable land area of: ....	Scrivener's error – Corrected reference
3	<b>Art.15.A.7.C</b> [Related to Approval Standards: OSTDS] <b>Page 7 of 28</b>	C. Systems shall be placed no closer than the minimum distances required under Rule 64E-6, F.A.C. except for lots addressed under Art. 15.A.7.G, <del>Standards of this Article</del> ;	Scrivener's error – Corrected reference
4	<b>Art.15.A.7.E</b> [Related to Approval Standards: OSTDS] <b>Page 7 of 28</b>	E. Parcels or tracts of land for which documentation has been submitted in accordance with Art. 15.A.5.D, <del>Documentation of this Article</del> , to substantiate existence prior to January 1, 1972 shall be exempt from the lot size requirements of Art. 15.A.7.A, <del>Approval Standards of this Article</del> , as long as a conditional use has not been granted or a change in zoning has not been made; provided, however, that neither a zoning change which does not increase the permitted residential density of units on the parcels or tracts nor a zoning change initiated by action of PBC shall be deemed to divest the parcels or tracts of the exemption provided hereby.	Scrivener's error – Corrected reference
5	<b>Art.15.A.7.G</b> [Related to Approval Standards: OSTDS] <b>Page 7 of 28</b>	G. The following standards shall apply when the soil profile, as required under Art.15.A.5.A.4, <del>Application Data for on OSTDS of this Article</del> , shows the presence of hardpan or bedrock or of soils classified as sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, clay and organic soils. The PBC Soil Survey prepared by the USDA Soil Conservation Service or other available data may be used by the Department to determine the presence of the above noted soils.	Scrivener's error – Corrected reference
6	<b>Art.15.A.13.B</b> [Related to Appeals] <b>Page 9 of 28</b>	B. Each notice of appeal shall state the factual basis for the appeal and the relief requested. There shall be attached to each notice supportive materials and documents, including the information listed in Appendix <del>3</del> 5.C, ECR I- Information Required for an Appeal for an Individual Lot, or Appendix <del>4</del> 5.D, ECR II- Information for an Appeal for a Subdivision, if applicable to the appeal. The EAB may require such additional information, as it deems necessary. A separate notice of appeal must be filed for each site or system considered for an appeal. Required supporting documentation for the appeal must be filed with the Department of Environmental Control Office with the notice of appeal. The burden of presenting supportive facts in the notice of appeal shall be the responsibility of the person filing the appeal. The person filing the appeal shall have the burden of proving that he/she is entitled to relief. The Department shall defend all appeals before the EAB.	Scrivener's error – Corrected reference.
7	<b>Art.15.B.2.A</b> Definitions <b>Page 15 of 28</b>	<b>Consecutive Water System</b> – <del>for the purposes of Art. 15,</del> a water supply system which <del>purchases all or some of its water supply from one or more public water systems, and which provides water to serves</del> at least 15 service connections used by year round residents, or which <del>regularly serves an average of</del> at least 25 <del>individuals daily at least 60 days out of the year round residents which receives its water from a community water system.</del>	Amended – Health Department revised definition.
8	<b>Art 15.B.2.A</b> Definitions <b>Page 15 of 28</b>	<b>Limited Use Water Systems</b> – <del>for the purposes of Art. 15,</del> a water system not covered <del>by</del> or included in the State of Florida Safe Drinking Water Act; <del>follows the rules as set forth in Chapter 64E-8.F.A.C.; and,</del> which is further defined as either: 1. Limited use commercial water system <del>serves</del> <del>serving</del> one or more non-residential establishments; or 2. Limited use community water system <del>serves</del> <del>serving</del> five or more residences or two or more rental residences.	Amendment - Health Department added reference.

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# ARTICLE 15 – HEALTH REGULATIONS

## SUMMARY OF AMENDMENTS

Revised 08/05/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
9	Art.15.B.2.A Definitions Page 16 of 28	<u>Supplier of Water</u> – for the purposes of Art. 15, any person, company, or corporation that owns or operates a community, non-transient non-community, transient non-community, limited use, multi-family, or private water system; also applies to consecutive water systems.	Amendment – Health Department added new definition.
10	Art.15.B.2.A Definitions Page 16 of 28	<b>Surface Water</b> – <u>for the purposes of Art. 15,</u> a <del>service source</del> of water existing above the surface of the ground and exposed to the atmosphere.	Scrivener's Error – Health Department corrected word.
11	Art.15.B.5 Water Monitoring Requirements Page 16-17 of 28	<p><b>Section 5      Water Monitoring Requirements</b></p> <p>A. <del>Monitoring requirements for the supplier of water shall be per Chapter 62-550, F.A.C. for community, non-transient non-community, and transient non-community public water supply systems and per 64E-8 for limited use water systems. Microbiologicals and chlorine residual monitoring of water systems shall be provided by the supplier of water as specified in Chapter 62-550, F.A.C. or Chapter 64E-8, F.A.C., as applicable.</del></p> <p>B. <del>Primary inorganic chemicals monitoring on water systems shall be provided by the supplier of water as specified in Chapter 62-550, F.A.C.</del></p> <p>C. <del>Primary organic chemicals monitoring on water systems shall be provided by the supplier of water for community water systems as specified in Chapter 62-550, F.A.C.</del></p> <p>D. <del>Monitoring for physical contaminants shall be provided by the supplier of water for community and non-transient non-community water systems as specified in Chapter 62-550, F.A.C.</del></p> <p>E. <del>Monitoring for radionuclides shall be provided by the supplier of water for community water systems and non-transient non-community water supply systems as specified in Chapter 62-550, F.A.C.</del></p> <p>F. <del>Monitoring for secondary inorganic contaminants in community water systems shall be provided by the supplier of water as specified in Chapter 62-550, F.A.C.</del></p> <p>G. <del>Monitoring for trihalomethanes, volatile organics and synthetic organics shall be provided by the supplier of water for water systems as specified in Chapter 62-550, F.A.C.</del></p> <p>H. <del>Consecutive, community and non-transient non-community water systems shall provide microbiological and chlorine residual monitoring as specified in Chapter 62-550, F.A.C.</del></p> <p>I. <del>Community water systems shall monitor for volatile and synthetic organics including pesticides and herbicides as specified in Chapter 62-550, F.A.C.</del></p> <p><u>JB.</u> Community and non-transient non-community water systems shall monitor for the following from each raw water source or well semi annually:  Calcium, Ca  Chloride, Cl  Color  Iron, Fe  Nitrate, NO3  pH (Field)  Total dissolved solids  Conductivity  Total hardness, as CaCO3</p>	Amendment – Health Department corrected to match Health Department Regulations.
12	Art.15.B.6 Reporting Requirements Page 17 of 28	<p><b>Section 6      Reporting Requirements</b></p> <p>The supplier of water of any community, <u>non-transient</u> non-community, or <del>non-transient non-community</del> water supply system shall comply with the reporting requirements as specified in Chapter 62-550, F.A.C. <u>The supplier of water of any limited use water supply system shall comply with the reporting requirements as specified in Chapter 64E-8, F.A.C.</u></p>	Amendment – Health Department Added provision.

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# ARTICLE 15 – HEALTH REGULATIONS

## SUMMARY OF AMENDMENTS

Revised 08/05/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
13	Art.15.B.7.D [Related to Notification Requirements] Page 17 of 28	D. If <u>any of the conditions listed in Article 15, Chapter B, paragraph 7.C., or in the Department of Health's "Guidelines for the Issuance of Precautionary Boil Water Notices" as adopted in Rule 62-555.335, F.A.C. should occur, the water supplier is required to obtain two consecutive days of satisfactory bacteriological sample results from the affected area. Notification of the interruption of water service and/or the necessity to boil water shall be given immediately to the users either by written notice (ex. door hangers, flyers, locally posted signs), direct contact via a reverse 911 calling system, or through the media of newspaper, radio, or television. The notice to boil water shall remain in effect until at least one day of satisfactory bacteriological sample results have been obtained from the affected area, and after consultation and approval of the Health Department. If only one day of precautionary boil water is utilized, then sufficient evidence must be provided to the Department to confirm that no contamination has occurred, extensive bacteriological test data, system pressure data, detailed explanation of repair process to confirm lack of potential for contamination, etc. If unsatisfactory bacteriological levels are detected following the one day initial sampling, or if the system cannot adequately justify to the Department that no contamination has occurred, then the water system shall provide a minimum of two consecutive days of satisfactory sample results prior to rescinding the boil notice the water is shut off to the users and/or the water pressure falls below 20 p.s.i., notification shall be given immediately to the users either by written notice or through the media of newspaper, radio or television of the interruption of water service and/or the necessity to boil water. The notice to boil water shall remain in effect until two consecutive days of satisfactory bacteriological sample results have been obtained from the area affected.</u> Samples shall be taken 24 hours apart. The Department shall notify the water supplier when the boil water notice may be rescinded.	Amendment – Health Department corrected to match Health Department Regulation.
14	Art.15.B.8.A.2 [Related to Design Criteria] Page 18 of 28	2. A minimum of two drinking water supply wells and pumps shall be provided for each community water system that will serve 350 or more persons <u>or 150 or more service connections</u> upon completion of construction.	Amendment –Health Department corrected to match Health Department Regulations.
15	Art.15.B.8.A.5 [Related to Design Criteria] Page 18 of 28	5. For private and <del>multiple multi</del> -family water wells <u>and irrigation wells</u> the casing shall be surrounded at grade level by a two-inch thick concrete pad extending at least six inches in all directions <u>and the upper terminus of the well casing shall project at least 12 inches above finished grade.</u>	Amendment –Health Department corrected to match Health Department Regulations.
16	Art.15.B.8.A.9 [Related to Design Criteria] Page 18 of 28	9. Private and multi-family water wells shall be placed a minimum distance of:  <u>a.</u> 75 feet from any OSTDS or brine disposal area. <u>ab.</u> 50 feet from any non-potable water well, pond, canal or other body of water. <u>bc.</u> 25 feet from poisoned soils, including but not limited to building foundations. <u>This distance may be reduced to 15 feet for wells having the uppermost 20 feet of casing grouted with a minimum 2 inch thickness of cement grout.</u>	Amendment –Health Department corrected to match Health Department Regulations.

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# ARTICLE 15 – HEALTH REGULATIONS SUMMARY OF AMENDMENTS

**Revised 08/05/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
17	Art.15.B.8.A.17 [Related to Design Criteria] Page 18 of 28	17. All existing community systems serving 350 or more persons and all newly proposed community systems shall be equipped with a source of auxiliary power to allow operation of the raw water supply, water treatment units and pumping capacity. In addition, such systems shall be provided with automatic start up devices except where elevated storage or 24 hour per day, seven day per week operation is provided. Such emergency power shall be of a sufficient capacity to operate the water supply facility at <del>one-half</del> <u>average daily</u> design capacity. A minimum fuel supply for 14 days of continuous operation for each item of auxiliary power shall be maintained at the water treatment plant or under the control of the utility and reserved for the water treatment plant. Any fuel pumps required to transfer the fuel to the auxiliary power units shall be equipped with their own auxiliary power or manual pumping system.	Amendment –Health Department corrected to match Health Department Regulations.
18	Art.15.B.8.A.19 Disinfection Page 19 of 28	19. <b>Disinfection</b> All public water systems shall be designed to maintain a minimum continuous and effective free chlorine residual within the acceptable range of <del>3.0</del> <u>4.0</u> mg/l maximum and 0.2 mg/l minimum or equivalent disinfection if other than free chlorine is used as the disinfection measure throughout the system. When utilizing chlorine in combination with ammonia, a minimum combined residual of 0.6 mg/l shall be maintained.	Amendment –Health Department corrected to match Health Department Regulations.
19	Art.15.B.8.A.21. e [Related to Disinfection] Page 19 of 28	e. <del>Fire hydrants shall be maintained by the owner in accordance with standards established by the "Standards of the American Water Works Association."</del> If a fire hydrant is located downstream of a water meter, the meter shall be designed to provide an adequate flow without excessive pressure drop. Private fire hydrant owners shall be required to request a dedicated private fire line, separate from any drinking water line, where an excessive drop through a metered source exists.	Amendment –Health Department corrected to match Health Department Regulations.
20	Art.15.B.9 Connection Required Page 20-21 of 28	<b>Section 9 Connection Required</b>  A. All existing <u>and all proposed new</u> buildings served by <u>non-transient</u> non-community, <del>non-transient</del> non-community, and limited use water systems <u>shall connect to an approved community water system where such system has an available water main within 100 feet in a public R-O-W or easement abutting the property on which the building(s) are located. or new limited use and All proposed new multi-family and proposed new</u> private water systems shall connect to an approved community water system where such a system has an available water main within 100 feet in a public R-O-W or easement abutting the property on which the building(s) are located.  <del>B.</del> Connection to an approved community water system shall not be required: 1. If connection requires an extension of the main; or 2. If the main is located across four or more lanes of paved roadway; or 3. If the utility is unable to provide water.  <del>BC.</del> Notwithstanding the provisions of Art.15.B.9.AB, above, if the Department determines that there is an existing or potential health threat on the property served by a <u>non-transient</u> non-community, <del>non-transient</del> non-community, <del>or</del> limited use, <u>new multi-family, or new private</u> water system, then the connection shall be made as required under Art.15.B.9. <del>CD</del> , below.  <del>CD.</del> Establishments or buildings that utilize a non-community, or non-transient non-community water system and are being constructed, modified, expanded or changed in operation shall connect to an approved community water supply system when said system is available within 1,000 feet by existing R-O-W or easement to the property. Each foot of water crossing, paved roadway, or sidewalk shall be considered as two feet; the proposed supply shall not be required to cross interstate highway or railroad systems. Property owners connecting to community water supply systems under this Subsection shall be required to extend the water main along their public R-O-W utility easements, which abut the property.	Amendment – Provisions taken from Health Department Regulations.

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# ARTICLE 15 – HEALTH REGULATIONS SUMMARY OF AMENDMENTS

**Revised 08/05/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
21	Art.15.B.11.B.1 [Related to Constructions Permits] Pages 21 of 28	1. No person shall install, extend or alter any water supply system or facility including any well, plant, tank, pump station, distribution system, fire line or other pipe or structures without first obtaining a construction permit <u>or written approval</u> from the Department.	Amendment – Health Department added provisions/deleted text to match Health Department Regulation.
22	Art.15.B.11.B.5 [Related to Constructions Permits] Pages 21 of 28	5. <del>A permit shall not be required for distribution extensions or services connections of less than 400 feet of one inch pipe, 200 feet of two inch pipe 100 feet of four inch or larger pipe, or road crossing with less than four inch pipe when system capacity is adequate as specified in Art. 15.B.8.A.21.h and Art. 15.B.8.A.21.i.</del> <u>A construction permit shall be required for all extensions, relocations, or replacements of distribution lines exceeding 100 feet in length at any single location, service connections exceeding 100 feet in length with two inch or larger pipe serving commercial or institutional establishments, and where privately owned or maintained fire hydrants are proposed.</u>	Amendment – Health Department added provisions/deleted text to match Health Department Regulation.
23	Art.15.B.11.B. Constructions Permits Pages 21 of 28	6. <u>Distribution lines and service connections permitted by the department shall be reviewed to determine that the proposed construction complies with applicable design and construction standards of Chapter 62-550 and 62-555, F.A.C. and this Article.</u>	Amendment – Health Department added provisions/deleted text to match Health Department Regulation.
24	Art.15.B.11.B.6 [Related to Constructions Permits] Pages 21 of 28	67. Any extension of a distribution system within PBC for which the water supply facility is not located within PBC, or distribution extension outside PBC when the water supply facility is located within PBC, shall require a permit from the Department and written acceptance of the project from the responsible agency outside the PBC. <del>During construction partial releases may be given by the Department. However, the pressure and leakage test and the disinfection and bacteriological procedures shall be followed in all cases.</del>	Amendment – Health Department added provisions/deleted text to match Health Department Regulation.
25	Art.15.B.12.C.6. c [Related to Approval for Use] Page 22 of 28	c. For a limited use water well clearance, a minimum of five acceptable samples are required. The collection and analysis of two samples per day <del>for five days</del> is permitted if the samples are taken a minimum of six hours apart and the well is purged for 15 minutes before each sample is taken.	Amendment –Health Department corrected to match Health Department regulation.
26	Art.15.B.12.C.6. f [Related to Approval for Use] Page 22 of 28	f. Sample results from any water supply facility or well shall not be accepted if more than <del>30</del> <u>60</u> days has elapsed since the taking of the last sample.	Amendment –Health Department corrected to match Health Department regulation.
27	Art.15.B.13.B [Related to Operation and Maintenance] Page 23 of 28	B. The supplier of water shall provide a certified operator as specified in Chapter 62-699 <del>602</del> , F.A.C. as it may be amended or transferred.	Amendment – Health Department corrected to match Health Department regulations.

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# ARTICLE 15 – HEALTH REGULATIONS

## SUMMARY OF AMENDMENTS

Revised 08/05/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
28	Art.15.B.13.D [Related to Operation and Maintenance] Page 23 of 28	D. The supplier of water shall operate the water supply facility to maintain continuously the free available chlorine residual or equivalent disinfection between <del>3.0</del> <u>4.0</u> mg/l and 0.2 mg/l throughout the distribution system, and the total chlorine residual no greater than 5.0 mg/l. When utilizing chlorine in combination with ammonia, a minimum combined residual 0.6 mg/l shall be maintained.	Amendment – Health Department corrected to match Health Department regulations.
29	Art.15.B.13.I [Related to Operation and Maintenance] Page 23 of 28	I. The supplier of water shall establish a routine <u>inspection</u> , testing and maintenance program on each fire hydrant connected to its system. The frequency of testing shall be a minimum of once per year or other schedule recommended by the manufacturer and approved by the Department. <u>Fire hydrants shall be maintained by the owner in accordance with the standards established by the American Water Works Association (AWWA), "Installation, Field Testing, and Maintenance of Fire Hydrants", AWWA Manual M17. A report summarizing the results of the annual inspection, testing, and maintenance of all fire hydrants in a given system shall be provided to the Health Department by no later than the 10th day of January of the following year. Consecutive water systems, or any system served by a master meter, and which have fire hydrants connected to the water distribution system, or have independently provided fire hydrant systems (ex. separate well and pump system dedicated to irrigation and/or fire protection) shall be responsible for the inspection, testing, maintenance, and reporting requirements. Any fire hydrants identified as non-functioning shall be reported to the Department in writing within 24 hours of the discovery along with a schedule for repair.</u>	Amendment – Health Department corrected to match Health Department regulations.
30	Art.15.B.17.A [Related to Appeals] Page 24 of 28	A. Persons aggrieved by a requirement, interpretation or determination of Art. 15.B. <del>8 9</del> , <u>Construction and Design Requirements Connection Required</u> , and Art. 15.B. <del>9 40</del> , <u>Connection Required Backflow Prevention</u> , made by the Department or the ECO may appeal to the EAB by filing a written notice of appeal, with the ECO within 30 days from the determination to be appealed. The notice shall be accompanied by a certified check or money order, in the amount of \$100.00 made payable to the Department which shall be non-refundable, to defray the cost of processing and administering the appeal. Only those appeals requesting relief from setbacks under Art. 15.B. <del>8 9</del> , <u>Construction and Design Requirements Connection Required</u> , or requesting an exception from connection to a public or investor-owned community water supply under Art. 15.B. <del>9 40</del> , <u>Connection Required Backflow Prevention</u> , shall be filed.	Scrivener's errors – Health Department corrected references.
31	Art.15.B.17.B [Related to Appeals] Page 24 of 28	B. Each notice of appeal shall state the factual basis for the appeal and the relief requested. There shall be attached to each notice supportive materials and documents, including a site plan indicating proposed and existing individual sewage disposal systems and water wells on the property that is the subject of the appeal and all other systems and conditions on neighboring properties which could affect the requirements of Art. 15.B.8, Construction and Design Requirements, or Art. 15.B.9, Connection Required, if the appeals were granted. The EAB may require such additional information as it deems necessary. A separate notice of appeal must be filed for each site or system considered for an appeal. Required supporting documentation for the appeal must be filed with the Department <u>or</u> <del>of</del> ECO with the notice of appeal. The burden of presenting supporting facts in the notice of appeal shall be the responsibility of the person filing the appeal. The person filing the appeal shall have the burden of proving that he/she is entitled to relief. The Department and/or ECO shall defend all appeals before the EAB.	Scrivener's errors – Health Department corrected references.
32	Art.15.B.17.H [Related to Appeals] Page 25 of 28	H. In order to grant an appeal authorizing a new or existing <u>OSTDS well</u> for use in <del>lieu</del> <u>lieu</u> of connecting to a public or investor-owned community water supply, the EAB must find that: 1. Satisfactory ground water is available or can be obtained; and 2. The <u>OSTDS well</u> complies with all setbacks, construction standards and other requirements of this Article; and Chapters <del>62</del> , <del>62</del> -550, <del>62</del> -555, 62-532, 64E-6, and 64E-8, F.A.C., and ....	Scrivener's errors – Health Department corrected references.

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**ARTICLE 15 – HEALTH REGULATIONS**  
**SUMMARY OF AMENDMENTS**  
**Revised 08/05/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
33	Art.15.B.17.I [Related to Appeals] Page 25 of 28	I. In order to grant relief from Art. 15.B.8 9, <u>Construction and Design Requirements</u> <del>Connection Required</del> , and/or Art. 15.B.9 10, <u>Connection Required Backflow Prevention</u> , the EAB must find that: ....	Scrivener's errors – Health Department corrected references.
34	Art.15.B.17.L [Related to Appeals] Page 24 of 28	L. Except where the relief granted is to exempt an applicant from the requirement to connect to a community water supply under Art. 15.B.9, Connection Required, any relief granted shall automatically terminate upon the availability of community water supply to the lot or parcel. Upon the request of the Department or the ECO, the EAB may modify or rescind an order granting relief from the requirements to connect to a public or investor-owned community water supply under Art. 15.B.17.H <del>in if</del> conditions under which the appeal was granted no longer exist. Unless otherwise provided in an order issued pursuant to Art. 15.B.17.H <del>48, Violations, Enforcement, Penalties and Inspections</del> , relief granted under this Article shall automatically lapse if action for which the appeal was granted has not been initiated within one year from the date of granting such appeal by the EAB or, if judicial proceedings to review the EABs decision shall be instituted, from the date of entry of the final order in such proceedings, including all appeals.	Scrivener's errors – Health Department corrected references.

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# **ARTICLE 16 – AIRPORT REGULATIONS** **SUMMARY OF AMENDMENTS**

**Revised 07/27/04**

## **ARTICLE 16**

### **Airport Regulations**

#### **CHAPTER A GENERAL**

##### **Section 1 Purpose and Intent**

The provisions of this Article are intended to promote the maximum safety of Aircraft arriving at and departing from the Airports covered by this Article within PBC and of residents and property in areas surrounding such Airports.

##### **Section 2 Short Title and Authority**

- A. This Article shall be known and cited as the "Airport Zoning Ordinance".
- B. This Article is enacted pursuant to the provisions of Art. VIII, Sec. 1(g) of the Florida Constitution, Chapter 125, F.S. (2004), and Chapter 333, F.S. (2004).

##### **Section 3 Applicability**

The provisions of this Article shall apply in unincorporated Palm Beach County and in incorporated Palm Beach County within those municipalities who elect to participate in this Article by inter-local agreement pursuant to Chapters 163 and 333, F.S. These regulations are intended to supplement other land development regulations contained in this Code. Where a conflict exists between any of the regulations or limitations prescribed in this Article and any other regulation applicable to the same area, the more stringent limitation or requirement shall govern.

#### **CHAPTER B AIRSPACE HEIGHT REGULATION**

##### **Section 1 Airspace Height Regulations**

###### **A. General**

In order to carry out the provisions of this Article, there are hereby created and established Airport Height Limitation Zones for each Airport covered by this Article, which are depicted and more particularly described in Appendices 2 through 7 and Appendix 15.

###### **B. Definition of Construction**

For purposes of this Chapter, the term "Construction" shall include, but is not limited to, the creation of new Structures, the addition of height to any existing Structure, and any other modifications or alterations to existing Structures that increase the height of an existing Structure, and shall include, but shall not be limited, the location of derricks, draglines, cranes and other boom-equipped machinery. The term "Construction" shall not include any development, which does not have the effect of adding height to the land or other Structure, such as paving, draining or roofing.

###### **C. Airport Height Limitations**

###### **1. General**

Where any two provisions of this Article are in conflict, the more stringent provision shall apply. Except as otherwise provided in this Article, no Structure, or object of natural growth shall be erected, altered, or be maintained without prior approval by the DOA, which is or would be an obstruction to air navigation, as defined in this Article, or of a height greater than:

- a. 500 feet above ground level at the site of the object;
- b. 200 feet above ground level or the established Airport elevation, whichever is higher within the Transitional Surface. Heights shall be measured within three nautical miles of the established Airport Reference Point; at which point the height increases up to a maximum of 500 feet, at a slope of one foot vertically for each 100 feet horizontally, for a distance of 50,000 feet; or
- c. Any object within the approach segment, departure area, or any missed approach or circling approach area of an Airport which is determined by the Director of DOA to be a hazard to the safe and efficient use of airspace in and around an Airport.

###### **2. Specific Height Limitations**

No structure or obstruction shall be permitted at a height greater than that designated for the Primary Surface, Horizontal Surface, Conical Surface, Approach Surface and/or Transitional Surface of a particular Airport as shown in Appendices 2 through 7 and Appendix 15.

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# **ARTICLE 16 – AIRPORT REGULATIONS**

## **SUMMARY OF AMENDMENTS**

**Revised 07/27/04**

### **3. Terminal Navigation Aid Obstruction Zone Limitation**

No Construction or installation of any electromagnetic device shall be permitted within the Navigation Aid Obstruction Zone without prior technical review by the FAA. If deemed necessary as a result of FAA review, approval must be obtained from DOA and PZB prior to constructing or installing any electromagnetic device in the Terminal Navigational Aid Obstruction Zone.

### **4. Location of Property**

A property located in more than one Airport Height Limitation Zones shall be considered to be in the Airport Height Limitation Zone with the most restrictive height limitations.

## **D. Airspace Height Review Procedures**

### **1. General**

In order to prevent the Construction of Structures deemed to be dangerous to air navigation, each person proposing to construct any Structure, which will fall within one or more of the following categories, shall obtain an Airspace Obstruction Permit from the County prior to commencement of Construction:

- a. Any Construction within an Airport Height Limitation Zone within a four nautical mile radius of the Airport Reference Point.
- b. Any Construction within 3500 feet from an Airport Reference Point in all directions.
- c. Any Construction of a height greater than an imaginary surface extending outward and upward for a lateral distance of 20,000 feet from the reference point of any Terminal Navigational Aid up to a height of 200 feet above ground level.
- d. Any Construction within 500 feet of a Terminal Navigational Aid.
- e. Any Construction of a height greater than 200 feet above ground level.

### **2. FAA Review Required**

If required by 14 CFR Part 77, as may be amended from time to time, an applicant for an Airspace Obstruction Permit shall submit to the FAA Form 7460-1, Notice of Proposed Construction or Alteration, or such form as may be required by the FAA, prior to commencing Construction and shall provide the DOA with a copy of the FAA's Determination. The applicant for an Airspace Obstruction Permit shall submit a copy of the FAA's Determination with its application for an Airspace Obstruction Permit.

### **3. Criteria for Granting/Denying an Airspace Obstruction Permit**

- a. The DOA shall grant an Airspace Obstruction Permit for the proposed Construction with a condition that the Structure must be marked and lighted in accordance with the provisions of Chapter 333, Florida Statutes, Chapter 14-60 of the Florida Administrative Code and FAA Advisory Circular 70/7460-1H, as may be amended from time to time, if:
  - 1) the FAA determines the proposed Construction does not to exceed the obstruction standards of 14 CFR Part 77; and
  - 2) the DOA determines that the proposed Construction is in compliance with the height limitations of this Chapter.
- b. The DOA shall deny an application for an Airspace Obstruction Permit if:
  - 1) the FAA determines the proposed Construction exceeds the Obstruction Standards of 14 CFR Part 77; or
  - 2) the DOA determines the proposed Construction is not in compliance with the height limitations of this Chapter.
- c. In the event the DOA denies an application for an Airspace Obstruction Permit, the proposed Construction shall not be permitted by the Building Division unless a variance is granted from the requirements of this Chapter by the BA.
- d. The DOA shall not consider an incomplete application for an Airspace Obstruction Permit.

## **CHAPTER C AIRPORT LAND USE REGULATIONS**

### **Section 1 Airport Land Use Regulations**

#### **A. General**

In order to carry out the provisions of this Article, certain zones, including all land associated with the Runway Protection Zone (RPZ) and Airport Land Use Noise Zone (ALUNZ) are hereby created and established for each Airport covered by this Article, which zones are depicted and more particularly described in Appendices 2 through 14.

#### **B. Regulated Land Use**

Notwithstanding any other provisions of this Article, no use may be made of land or water within the RPZ in such manner as to interfere with the operation of an airborne Aircraft. The Off-Airport Land Use Compatibility Schedule shall be used to determine additional land development requirements for uses identified in Article 4, Use Regulations. Those activities and land uses not specifically listed in the Airport Land Use Compatibility Schedule are permitted or restricted based on their similarity to noise tolerance and compatibility with normal Airport operations as exhibited

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# **ARTICLE 16 – AIRPORT REGULATIONS**

## **SUMMARY OF AMENDMENTS**

**Revised 07/27/04**

by the activities and land uses which are listed in the Off-Airport Land Use Compatibility Schedule.

### **1. Definition of Construction**

For purposes of this Section, Construction includes, but is not limited to, building new Structures, making alterations or repairs and additions to any existing Structure, or moving or relocating a Structure. Construction does not include paving, drainage or similar types of Construction.

### **C. Regulated Areas**

Only that portion of a lot falling within the RPZ or ALUNZ shall be subject to the provisions of this Section. The Off-Airport Land Use Compatibility Schedule shall be used to determine compatibility of land use with Airport operations within the RPZ or ALUNZ.

### **D. General Land Use Regulations-Off-Airport Land Use Compatibility Schedule**

#### **1. The Off-Airport Land Use Compatibility Schedule**

##### **a. Land Uses Compatible Without Restriction**

Uses noted with a "P" may be developed pursuant to the development review procedures in the Use Regulation Schedule in Art. 4, Use Regulations and Art. 2, Development Review Procedures, and are not required to comply with the conditional requirements set forth in the Off-Airport Land Use Compatibility Schedule.

##### **b. Land Uses Qualified As Compatible Only If In Compliance With Conditional Requirements**

Uses noted with a "Q" may be developed pursuant to the development review procedures in the Use Regulation Schedule in Art. 4, Use Regulations and Art. 2, Development Review Procedures, if regulated and constructed in accordance with the conditional notes contained in the Off-Airport Land Use Compatibility Schedule.

##### **c. Incompatible Land Uses**

Uses noted as an "N" are considered to be incompatible with the RPZ, and, therefore, cannot be constructed within the RPZ.

#### **2. Prohibited Land Uses**

**a.** In no case shall a new Educational Facility or a public or private school, with the exception of aviation school facilities, be permitted within an area which extends five statute miles in a direct line along the centerline of a Runway and which has a width measuring 1/2 the length of the Runway. Exceptions approving Construction of an Educational Facility within the delineated area shall only be granted when the Board of County Commissioners makes specific findings detailing how the public policy reasons for allowing the Construction outweigh the health and safety concerns prohibiting such location. Nothing in this subsection shall be construed to require the removal, alteration, sound conditioning, or other change, or to interfere with the continued use or expansion to contiguous properties of any public or private Educational Facility in existence on November 1, 1996. Construction of new Educational Facilities shall satisfy the requirements of Art. 16.B.1, Airspace Height Regulations. The provision of sound insulation materials in accordance with established architectural and acoustical principles as contained in DOT/FAA/PP-92-5 (Current Version), Guidelines for Sound Insulation of Residences Exposed to Aircraft Operations shall be encouraged.

**b.** In no case shall a new residential or an Educational Facility, with the exception of aviation school facilities, be permitted within an area contiguous to an Airport measuring ½ the length of the longest Runway on either side of and at the end of each Runway centerline unless the Construction satisfies the conditional notes in the Off-Airport Land Use Compatibility Schedule. Notwithstanding the foregoing, land uses within the PBIA and Boca Raton Airport Land Use Noise Zones shall not be subject to the provisions of this subsection. Land uses within the area contiguous to PBIA and the Boca Raton Airport within the outer noise contour for such Airport shall be consistent with the uses listed in the Off-Airport Land Use Compatibility Schedule.

**c.** Notwithstanding any provision of this Code to the contrary, the BA shall not have the authority to grant a variance from the provisions of Art. 16.C.1.D.2.

#### **3. Additional Regulations**

In addition to the requirements contained in the Off-Airport Land Use Compatibility Schedule, all uses within the RPZ, ALUNZ and/or Airport Height Zones shall comply with the following provisions:

##### **a. Lights and Illuminations**

All lights or illumination used in conjunction with streets, parking, signs or use of land and Structures shall be arranged and operated in such manner that is not misleading or dangerous to Aircraft operating from or to a public Airport or in vicinity thereof.

##### **b. Electronic Devices**

No application, use, or operations of any type shall produce electronic interference with navigation signals or radio communication between Aircraft, the Airport tower, or other air traffic control facility.

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# **ARTICLE 16 – AIRPORT REGULATIONS**

## **SUMMARY OF AMENDMENTS**

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**c. Obscuration**

No operations of any type shall produce smoke, glare or other obscuration within three statute miles of any usable Runway of an Airport.

**4. Wildlife Hazards**

No use of any type shall be permitted that attract or sustain populations of Hazardous Wildlife within the vicinity of Airports or cause movement of hazardous wildlife onto, into or across the approach or departure airspace, aircraft movement areas, loading ramps or aircraft parking areas of Airports. Uses that attract or sustain Hazardous Wildlife movements, include, but are not limited to, the Construction of retention and detention ponds unless constructed in accordance with FAA Advisory Circular No. 150/5200-33 (Current Version).

**5. Noise Level Reduction (NLR) Requirements**

If a proposed land use within an Airport Land Use Noise Zone is designated generally compatible (Q), or incompatible (N) as noted in the Off-Airport Land Use Compatibility Schedule, then measures to achieve 25 dB NLR shall be incorporated into the regulated use. See Appendix 16, Minimum Sound Insulation Requirements. If a STC rating is not available for a particular product, impact resistant door and window products that are Florida Product Approved and able to withstand wind loads particular to the specific opening where they will be installed shall satisfy the requirements of this subsection. Notwithstanding the foregoing, the NLR do not apply to modifications, expansions or alterations to existing Construction.

**a. Use and Occupancy**

Structures supporting a legal use(s) which existed prior to (the effective date of this Article), may continue to support the existing use or occupancy provided such continued use does not jeopardize life or health.

**b. Relocated Buildings**

Structures moved into a RPZ or ALUNZ shall comply with the height requirements and NLR of this Article, as applicable.

**c. Proposed or Newly Constructed Buildings**

The requirements of Article 16 C.1.D.5 related to NLR may be applied, at the request of the applicant, to permits which were in existence or in progress prior to the effective date of this Article.

**d. Design Requirements**

The NLR requirements of the Off-Airport Land Use Compatibility Schedule may be achieved by any suitable combination of building design, choice of building materials and Construction techniques in accordance with established architectural and acoustical principles as contained in DOT document DOT/FAA/PP-92-5, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations. This document is on file at the offices of the DOA and PZB. The reduction requirements shall apply to all occupied rooms having one or more exterior walls or ceilings, when furnished in accordance with the intended final usage of the room.

**E. Review Procedure for Airport Land Use Noise Zones**

All new Construction within an ALUNZ shall be reviewed for compliance with the standards of this Section. Prior to acceptance of a development order or issuance of a building permit, the DOA and PZB shall review the application for compliance with this Article.

### **Section 2 Variances**

Any person desiring to erect any Structure, increase the height of any Structure or to otherwise use his or her property in violation of the regulations provided for in this Article may apply to the BA for a variance in accordance with Article 2.B.3, Variances.

### **Section 3 Administration**

Except as otherwise provided for in this Article, PZB, in consultation with DOA, shall administer the review of development applications for compliance with the requirements of this Article in unincorporated Palm Beach County. Review of development applications for compliance with the requirements of this Article in an incorporated area of Palm Beach County shall be reviewed in accordance with the provisions of the interlocal agreement entered into between the County and municipality pursuant to Chapter 333, Florida Statutes.

### **Section 4 Enforcement**

**A. Non-compliance**

Failure to comply with the requirements of this Article or any permit or approval granted or authorized hereunder shall constitute a violation of this Code. PZB or the DOA may issue a Cease and Desist Order or withhold a Certificate of Occupancy until the provisions of this Article have been met. PBC may subject the owner of the premises to the violation and enforcement

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# **ARTICLE 16 – AIRPORT REGULATIONS**

## **SUMMARY OF AMENDMENTS**

**Revised 07/27/04**

provisions in F.S. Chapter 333.07, as may be amended, seek injunctive relief, pursuant to F.S. Chapter 333.13, as may be amended, in order to fully effectuate the purposes of this Article. Each violation of this Article or of any regulation, order or ruling promulgated herein shall be considered a separate offense and may be enforced in accordance with the provisions of Art. 10, Enforcement. In addition to the sanctions contained herein, the County may take any other appropriate legal action to enforce the provisions of this Article. It is the purpose of this Article to provide additional, cumulative remedies.

### **Section 5**      **Appeals**

Any person aggrieved by the decision of PZB or the DOA made in the administration of this Article may appeal the decision to the BA in accordance with Art. 2. Any person aggrieved by a decision of the BA may apply for judicial relief by filing a petition for writ of certiorari in the Circuit Court of the Fifteenth Judicial Circuit in and for PBC, Florida within 30 days after rendition of the decision by the BA.

### **Section 6**      **Fees**

The Board of County Commissioners may adopt fees for administration of this Article by Resolution.

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# ARTICLE 18 DEFINITIONS SUMMARY OF AMENDMENTS

**Revised 8/1/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
1	Art.18.A.2.A Definitions Page 4 of 38	<u>Aircraft</u> – <u>for the purposes of Art. 16, any vehicle, which is used or designated for navigation of or flight in the air.</u>	Amendment – Added DOA Art. 16 definition.
2	Art.18.A.2.A Definitions Page 4 of 38	<u>Airport</u> – <u>for the purposes of Art. 16, Palm Beach International Airport (PBI), PBC Park Airport (Lantana), PBC Glades Airport (Pahokee), North Palm Beach County General Aviation Airport and Boca Raton Airport.</u>	Amendment – Added DOA Art. 16 definition.
3	Art.18.A.2.A Definitions Page 4 of 38	<u>Airport Elevation</u> – <u>for the purposes of Art. 16, the highest point of an Airport's usable landing area measured in feet above mean sea level (AMSL).</u>	Amendment – Added DOA Art. 16 definition.
4	Art.18.A.2.A Definitions Page 4 of 38	<del>Airport Hazard – Art. 16</del>	Deleted – by DOA.
5	Art.18.A.2.A Definitions Page 4 of 38	<del>Airport Hazard Area – Art. 16</del>	Deleted – by DOA.
6	Art.18.A.2.A Definitions Page 4 of 38	<del>Airport Obstruction – Art. 16</del>	Deleted – by DOA.
7	Art.18.A.2.A Definitions Page 4 of 38	<del>Airspace Height – Art. 16</del>	Deleted – by DOA.
8	Art.18.A.2.A Definitions Page 5 of 38	<u>Airport Height Limitation Zones</u> – <u>for the purposes of Art. 16, the Primary Zone, Horizontal Zone, Conical Zone, Approach Zone, Transitional Zone, Terminal Obstruction Clearance Zone, and Terminal Navigational Aid Obstruction Zone for each Airport covered. The Airport Height Limitation Zones for each Airport are depicted and more particularly described in Art. 16, Airport Regulations, Appendices 2 through 7 and Appendix 15.</u>	Amendment – Added DOA Art. 16 definition.
9	Art.18.A.2.A Definitions Page 5 of 38	<u>Airport Reference Point</u> – <u>for the purposes of Art. 16, the point established as the approximate geographic center of an Airport landing area.</u>	Amendment – Added DOA Art. 16 definition.
10	Art.18.A.2.A Definitions Page 5 of 38	<u>Approach Surface</u> – <u>for the purposes of Art. 16, has the meaning ascribed to it in 14 CFR Part 77.25.</u>	Amendment – Added DOA Art. 16 definition.
11	Art.18.A.2.A Definitions Page 5 of 38	<u>Approach Zone</u> – <u>for the purposes of Art. 16, the land or lateral surface located beneath the Approach Surface of an Airport. The Approach Zones for the Airports covered are more particularly described in Art. 16, Airport Regulations, Appendices 2 through 7.</u>	Amendment – Added DOA Art. 16 definition.
12	Art.18.A.2.A Definitions Page 6 of 38	<del>Avigation Easement – Art. 16</del>	Deleted – by DOA.
13	Art.18.A.2.A Definitions Page 9 of 38	<del>Climb Gradient – Art. 16</del>	Deleted – by DOA.
14	Art.18.A.2.A Definitions Page 10 of 38	<u>Conical Surface</u> – <u>for the purposes of Art. 16, has the meaning ascribed to it in 14 CFR Part 77.25.</u>	Amendment – Added DOA Art. 16 definition.
15	Art.18.A.2.A Definitions Page 10 of 38	<u>Conical Zone</u> – <u>for the purposes of Art. 16, the land or lateral surface beneath the Conical Surface of an Airport. The Conical Zones for the Airports covered by Art. 16, Airport Regulations, are more particularly described in Appendices 2 through 7.</u>	Amendment – Added DOA Art. 16 definition.
16	Art.18.A.2 Definitions Page 10 of 38	<u>Contiguous</u> - lands separated <u>only</u> by streets, easements, pipelines, power lines, conduits, R-O-W under ownership of the land owner of one of the subject parcels, a POA or a governmental agency, or a public utility <u>only</u> . For density and vacant lot maintenance purposes only, contiguous <u>means</u> lots that share a common border. Lots that touch point-to-point, or lots which are separated by waterways, streets or major easements are not considered contiguous for density calculations <u>or for vacant lot requirements in Art. 7.E.4.B, Vacant Lot.</u>	Amendment – Expanded definition to accommodat e Vacant Lot provisions of Art.7.

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# ARTICLE 18 DEFINITIONS SUMMARY OF AMENDMENTS

Revised 8/1/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
17	Art.18.A.2.A Definitions Page 11 of 38	<u>Day-Night Average Sound Level (Ldn) – for the purposes of Art. 16, a 24-hour average noise level in weighted decibels, for a period from midnight to midnight, adding a ten-decibel penalty for each noise event during the hours between midnight and 7:00 a.m. and 10:00 p.m. and midnight.</u>	Amendment – Added DOA Art. 16 definition.
18	Art.18.A.2.A Definitions Page 11 of 38	<del>Decision Height – Art. 16</del>	Deleted – by DOA.
19	Art.18.A.2.A Definitions Page 12 of 38	<u>Determination – For the purposes of Art. 16, the term used by FAA to denote the outcome of an aeronautical study under 14 CFR Part 77.</u>	Amendment – Added DOA Art. 16 definition.
20	Art.18.A.2 Definitions Page 13 of 38	Dry <del>R</del> Detention/Retention - detention or retention of water in a storage facility which is designed, constructed, and operated to limit the duration of ponding within the facility so as to maintain a normally dry bottom between rainfall events.	Scrivener's error - Corrected spelling.
21	Art.18.A.2.A Definitions Page 13 of 38	<del>Dune Crest – Art. 14.A</del>	Amendment – ERM deleted redundant definition.
22	Art.18.A.2.A Definitions Page 13 of 38	<u>Educational Facility – for the purposes of Art. 16, the buildings and equipment, structures, and special educational use areas built, installed, or established to serve primarily educational purposes and secondarily the social and recreational purposes of the community.</u>	Amendment – Added DOA Art. 16 definition.
23	Art.18.A.2.A Definitions Page 15 of 38	<del>F.A.R. (Part 77) – Art. 16</del>	Deleted – by DOA.
24	Art.18.A.2.A Definitions Page 17 of 38	<del>Hazard – Art. 16</del>	Deleted – by DOA.
25	Art.18.A.2.A Definitions Page 17 of 38	<u>Hazardous Wildlife – for the purposes of Art. 16, wildlife species, such as birds, that are commonly associated with wildlife-aircraft strike problems, are capable of causing structural damage to aircraft facilities, or act as attractants to other wildlife that pose a wildlife-aircraft strike hazard.</u>	Amendment – Added DOA Art. 16 definition.
26	Art.18.A.2.A Definitions Page 17 of 38	<del>Heliport or Vertiport – Art. 4.B.10; Art. 16</del>	Deleted – by DOA.
27	Art.18.A.2 Definitions Page 17 of 38	<u>Home(s) – for the purposes of Art. 7, single family houses, zero-lot line houses, townhouses, duplexes, multi-family dwellings or other structures intended or used for residential housing.</u>	Amendment – Added new definition to accommodat e Vacant Lot provisions of Art.7.
28	Art.18.A.2.A Definitions Page 17 of 38	<u>Horizontal Surface – for the purposes of Art. 16, has the meaning ascribed to it in 14 CFR Part 77.25.</u>	Amendment – Added DOA Art. 16 definition.
29	Art.18.A.2.A Definitions Page 17 of 38	<u>Horizontal Zone – for the purposes of Art. 16, the land or lateral surface located beneath the Horizontal Surface of an Airport. The Horizontal Zones for the Airports covered by Art. 16, Airport Regulations, are more particularly described in Appendices 2 through 7.</u>	Amendment – Added DOA Art. 16 definition.
30	Art.18.A.2.A Definitions Page 18 of 38	<del>Instrument Approach Procedure – Art. 16</del>	Deleted – by DOA.
31	Art.18.A.2.A Definitions Page 18 of 38	<u>Instrument Landing System (ILS) - Art. 16</u>	Deleted – by DOA.
32	Art.18.A.2.A Definitions Page 21 of 38	<del>Minimum Descent Altitude (MDA) – Art. 16</del>	Deleted – by DOA.
33	Art.18.A.2.A Definitions Page 21 of 38	<u>Minimum Obstruction Clearance Altitude (MOCA) - Art. 16</u>	Deleted – by DOA.

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Revised 8/1/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
34	Art.18.A.2.A Definitions Page 21 of 38	<del>Minimum Vectoring Altitude (MVA) – Art. 16</del>	Deleted – by DOA.
35	Art.18.A.2.A Definitions Page 22 of 38	<u>Nautical Mile – for the purposes of Art. 16, a unit of length used in air navigation, based on the length of one minute of arc of a great circle, and equivalent to U.S. unit equal to 1,852 meters, or 6,076 feet.</u>	Amendment – Added DOA Art. 16 definition.
36	Art.18.A.2.A Definitions Page 22 of 38	<del>No-Hazard – Art. 16</del>	Deleted – by DOA.
37	Art.18.A.2.A Definitions Page 22 of 38	<del>Noise Level Reduction – Art. 16</del>	Deleted – by DOA.
38	Art.18.A.2.A Definitions Page 23 of 38	<u>Non-precision Instrument Runway – for the purposes of Art. 16, a runway having a non-precision instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type of navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned, and for which no precision instrument approach facilities are planned or indicated on an appropriate FAA civil or military service airport planning document.</u>	Amendment – Added DOA Art. 16 definition.
39	Art.18.A.2.A Definitions Page 23 of 38	<u>Obstruction – for the purposes of Art. 16, any existing or proposed manmade object or object of natural growth or terrain that violates federal obstruction standards set forth in 14 CFR Part. 77.</u>	Amendment – Added DOA Art. 16 definition.
40	Art.18.A.2.A Definitions Page 23 of 38	<u>Off-Airport Land Use Compatibility Schedule – for the purposes of Art. 16, means the Off-Airport Land Use Compatibility Schedule attached to Art. 16, Airport Regulations, as Appendix 8.</u>	Amendment – Added DOA Art. 16 definition.
41	Art.18.A.2.A Definitions Page 25 of 38	<u>Precision Instrument Runway – for the purposes of Art. 16, a Runway having an instrument approach procedure utilizing horizontal and vertical guidance through an Instrument Landing System (ILS), Microwave Landing System (MLS), or a Precision Approach Radar (PAR) including a Runway for which such a system is planned and is so indicated on an approved civil or military airport layout plan, other FAA planning documents, or comparable military service planning documents.</u>	Amendment – Added DOA Art. 16 definition.
42	Art.18.A.2.A Definitions Page 25 of 38	<u>Primary Surface – for the purposes of Art. 16, has the meaning ascribed to it in 14 CFR Part 77.25.</u>	Amendment – Added DOA Art. 16 definition.
43	Art.18.A.2.A Definitions Page 25 of 38	<u>Primary Zone – for the purposes of Art. 16, the land or lateral surface located beneath the Primary Surface of an Airport. The Primary Zones for the Airports covered by Art. 16, Airport Regulations, are more particularly described in Appendices 2 through 7.</u>	Amendment – Added DOA Art. 16 definition.
44	Art.18.A.2.A Definitions Page 27 of 38	<u>Runway – for the purposes of Art. 16, a defined area on an Airport prepared, used or intended to be used for the take off and landing of Aircraft along its length.</u>	Amendment – Added DOA Art. 16 definition.
45	Art.18.A.2.A Definition Page 28 of 38	<u>Runway Protection Zone (RPZ) – for the purposes of Art. 16, an area off the Runway end established to enhance the protection of people and property on the ground. Specifically, the RPZ is an area off the Runway end extending outward and upward, parallel to the extended Runway centerline. The RPZ for the Airports covered by Art. 16, Airport Regulations, are graphically depicted in Appendices 2 through 7.</u>	Amendment – Added DOA Art. 16 definition.
46	Art.18.A.2 Definitions Page 30 of 38	<u>Significant Degradation – for the purposes of Art. 7, means any of the following:</u>  a) <u>Where twenty percent or more of the homes on one side of a street within the same address block have been demolished and the remaining lots are left vacant; or</u> b) <u>Where homes on two or more contiguous lots are demolished and the remaining lots are left vacant; or</u> c) <u>Where a home(s) on a contiguous lot(s) is demolished and the remaining lot(s) is left vacant, creating a gap in the combined lot frontage measuring 100 linear feet or greater in length.</u>	Amendment – Added new definition to accommodat e Vacant Lot provisions of Art.7.

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# ARTICLE 18 DEFINITIONS SUMMARY OF AMENDMENTS Revised 8/1/04

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
47	Art.18.A.2.A Definition Page 31 of 38	<b>Structure</b> – Art. 9; <del>Art. 16</del>	Amendment – Added DOA Art. 16 definition.
48	Art.18.A.2.A Definition Page 31 of 38	<b>Structure</b> – <u>for the purposes of Art. 16, any temporary or permanent object, constructed, erected, installed, modified or altered, including, but not limited to: buildings, towers, smoke stacks, utility poles, antennas. Construction cranes and overhead transmission lines.</u>	Amendment – Added DOA Art. 16 definition.
49	Art.18.A.2.A Definitions Page 32 of 38	<b>Terminal Navigational Aid</b> – <u>for the purposes of Art. 16, any visual or electronic device on the surface which provides point-to-point guidance information or position data to Aircraft in flight and which is located on an Airport.</u>	Amendment – Added DOA Art. 16 definition.
50	Art.18.A.2.A Definitions Page 32. of 38	<b>Terminal Navigation Aid Obstruction Zone</b> – <u>for the purposes of Art. 16, a zone that extends in all directions to a radius of 3,500 feet from a Terminal Navigation Aid. The Terminal Navigation Aid Obstruction Zones for the Airports covered by Art. 16, Airport Regulations, are graphically depicted in Appendix 1, Airspace Notification Map.</u>	Amendment – Added DOA Art. 16 definition.
51	Art.18.A2.A Terminal Obstacle Clearance Zone Page 32 of 38	<b>Terminal Obstacle Clearance Zone</b> – <u>for the purposes of Art. 16, includes the initial, intermediate, final and missed approach segments of an Instrument Approach Procedure, and the circling approach and instrument departure area as described in 14 CFR 77.23.</u>	Amendment – Added DOA Art. 16 definition.
52	Art.18.A.2.A Definitions Page 32 of 38	<b>Transitional Surface</b> – <u>for the purposes of Art. 16, has the meaning ascribed to it in 14 CFR Part 77.25.</u>	Amendment – to allow for separate definition for Art. 16.
53	Art.18.A.2.A Definitions Page 32 of 38	<b>Transitional Zone</b> – <u>for the purposes of Art. 16, the land or lateral surface located beneath the Transitional Surface of an Airport. The Transitional zones for the Airports covered by Art. 16, Airport Regulations, are more particularly described in Appendices 2 through 7.</u>	Amendment – Added DOA Art. 16 definition.
54	Art.18.A.2.A Definitions Page 34 of 38	<del><b>Utility Runway</b> – Art. 16</del>	Deleted – by DOA.
55	Art.18.A.2 Definitions Page 34 of 68	<b>Vacant Lot</b> – <u>for the purposes of Art. 7, any tract or parcel of land upon which a home has been demolished and which has not been redeveloped. For the purposes of this definition only, redevelopment means the construction of a home.</u>	Amendment – Added new definition to accommodat e Vacant Lot provisions of Art.7.
56	Art.18.A.2.A Definitions Page 34 of 38	<del><b>Visual Hazard</b> – Art. 16</del>	Deleted – by DOA.
57	Art.18.A.2.A Definitions Page 34 of 38	<b>Visual Runway</b> - <u>for the purposes of Art. 16, a Runway intended solely for the operation of Aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation planned or indicated on the FAA approved civil or military Airport layout plan, or by any other planning document submitted to the FAA by competent authority.</u>	Amendment – Added DOA Art. 16 definition.

## Notes:

Underlined language indicates proposed new language.

Language ~~crossed out~~ indicates language proposed to be deleted.

... (ellipses) indicates language not amended which has been omitted to save space.

Relocated language is shown as *italicized* with reference in parenthesis.

**ARTICLE 18 DEFINITIONS**  
**SUMMARY OF AMENDMENTS**  
**Revised 8/1/04**

#	ULDC Article/ Section Page Number	Code Provision*	Reason for Amendment
58	Art.18.A.3 Abbreviations and Acronyms Pages 34-37	<del>ASR</del> <del>Airport Surveillance Radar</del> <u>DNL</u> <u>Day-Night Average Sound Level</u> <del>F.A.R.</del> <del>Federal Aviation Regulation (for the purposes of Art. 16, Airport Regulation)</del> <del>IFR</del> <del>Instrument Flight Rules</del> <del>ILS</del> <del>Instrument Landing System</del> <del>Ldn</del> <del>Day-Night Average Sound Level</del> <del>MDA</del> <del>Minimum Descent Altitude</del> <del>MLS</del> <del>Microwave Landing System</del> <del>MOCA</del> <del>Minimum Obstruction Clearance Altitude</del> <del>MVA</del> <del>Minimum Vectoring Altitude</del> <del>NLR</del> <del>Noise Level Reduction</del> <del>PAR</del> <del>Precision Approach Radar</del> <del>SIAP</del> <del>Standard Instrument Approach Procedure</del> <del>VOR</del> <del>Very-high frequency Omni-range</del> <del>VFR</del> <del>Visual Flying Rules</del>	Amendment/ Deletions – Per the DOA, add new acronym for DNL, delete various acronyms.
59	Art.18.A.3 Abbreviations and Acronyms Page 37 of 38	<u>STC</u> <u>Sound Transmission Class</u>	Amendment – Added DOA Art. 16 acronym.

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